



Rep. William Davis

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LRB098 15945 OMW 60368 a

1 AMENDMENT TO SENATE BILL 3443

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3443, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Illinois Governmental Ethics Act is amended  
6 by changing Section 3A-40 as follows:

7 (5 ILCS 420/3A-40)

8 Sec. 3A-40. Appointees with expired terms; temporary and  
9 acting appointees.

10 (a) A person who is nominated by the Governor on or after  
11 August 26, 2011 (the effective date of Public Act 97-582) for  
12 any affected office to which appointment requires the advice  
13 and consent of the Senate, who is appointed pursuant to that  
14 advice and consent, and whose term of office expires on or  
15 after August 26, 2011 shall not continue in office longer than  
16 60 calendar days after the expiration of that term of office.

1 After that 60th day, each such office is considered vacant and  
2 shall be filled only pursuant to the law applicable to making  
3 appointments to that office, subject to the provisions of this  
4 Section.

5 A person who has been nominated by the Governor before  
6 August 26, 2011 (the effective date of Public Act 97-582) for  
7 any affected office to which appointment requires the advice  
8 and consent of the Senate, who has been appointed pursuant to  
9 that advice and consent, and whose term of office has expired  
10 shall not continue in office longer than 60 calendar days after  
11 the date upon which his or her term of office has expired.  
12 After that 60 days, each such office is considered vacant and  
13 shall be filled only pursuant to the law applicable to making  
14 appointments to that office, subject to the provisions of this  
15 Section. If the term of office of a person who is subject to  
16 this paragraph expires more than 60 calendar days prior to the  
17 effective date of this amendatory Act of the 97th General  
18 Assembly, then that office is considered vacant on the  
19 effective date of this amendatory Act of the 97th General  
20 Assembly, and that vacancy shall be filled only pursuant to the  
21 law applicable to making appointments to that office. For the  
22 purposes of this subsection (a), "affected office" means (i) an  
23 office in which one receives any form of compensation,  
24 including salary or per diem, but not including expense  
25 reimbursement, or (ii) membership on the board of trustees of a  
26 public university.

1 (b) A person who is appointed by the Governor on or after  
2 August 26, 2011 (the effective date of Public Act 97-582) to  
3 serve as a temporary appointee during a recess of the Senate,  
4 pursuant to Article V, Section 9(b) of the Illinois  
5 Constitution or any other applicable statute, to any office to  
6 which appointment requires the advice and consent of the Senate  
7 shall not continue in office after the next meeting of the  
8 Senate unless the Governor has filed a message with the  
9 Secretary of the Senate nominating that person to fill that  
10 office on or before that meeting date. After that meeting date,  
11 each such office is considered vacant and shall be filled only  
12 pursuant to the law applicable to making appointments to that  
13 office, subject to the provisions of this Section. Any  
14 temporary appointment made pursuant to subsection (b) of  
15 Section 9 of Article V of the Illinois Constitution or any  
16 applicable statute shall be filed with the Secretary of State  
17 and the Secretary of the Senate. The form of the temporary  
18 appointment message shall be established by the Senate under  
19 its rules.

20 ~~A person who has been appointed by the Governor before~~  
21 ~~August 26, 2011 (the effective date of Public Act 97-582) to~~  
22 ~~serve as a temporary appointee, pursuant to Article V, Section~~  
23 ~~9(b) of the Illinois Constitution or any other applicable~~  
24 ~~statute, to any office to which appointment requires the advice~~  
25 ~~and consent of the Senate shall not continue in office after~~  
26 ~~August 26, 2011 or the next meeting of the Senate after August~~

1 ~~26, 2011, as applicable, unless the Governor has filed a~~  
2 ~~message with the Secretary of the Senate nominating that person~~  
3 ~~to fill that office on or before the next meeting of the Senate~~  
4 ~~after that temporary appointment was made. After that effective~~  
5 ~~date or meeting date, as applicable, each such office is~~  
6 ~~considered vacant and shall be filled only pursuant to the law~~  
7 ~~applicable to making appointments to that office, subject to~~  
8 ~~the provisions of this Section.~~

9 For the purposes of this subsection (b), a meeting of the  
10 Senate does not include a perfunctory session day as designated  
11 by the Senate under its rules. For the purposes of this  
12 subsection (b), the Senate is in recess on a day in which it is  
13 not in session and does not include a perfunctory session day  
14 as designated by the Senate under its rules.

15 (c) A person who is designated by the Governor on or after  
16 August 26, 2011 (the effective date of Public Act 97-582) to  
17 serve as an acting appointee to any office to which appointment  
18 requires the advice and consent of the Senate shall not  
19 continue in office more than 60 calendar days unless the  
20 Governor files a message with the Secretary of the Senate  
21 nominating that person to fill that office within that 60 days.  
22 After that 60 days, each such office is considered vacant and  
23 shall be filled only pursuant to the law applicable to making  
24 appointments to that office, subject to the provisions of this  
25 Section. The Governor shall file with the Secretary of the  
26 Senate the name of any person who the Governor designates as an

1 acting appointee under this Section. The form of the message  
2 designating an appointee as acting shall be established by the  
3 Senate under its rules. No person who has been designated by  
4 the Governor to serve as an acting appointee to any office to  
5 which appointment requires the advice and consent of the Senate  
6 shall, except at the Senate's request, be designated again as  
7 an acting appointee for that office at the same session of that  
8 Senate, subject to the provisions of this Section.

9 ~~A person who has been designated by the Governor before~~  
10 ~~August 26, 2011 (the effective date of Public Act 97-582) to~~  
11 ~~serve as an acting appointee to any office to which appointment~~  
12 ~~requires the advice and consent of the Senate shall not~~  
13 ~~continue in office longer than 60 calendar days after August~~  
14 ~~26, 2011 unless the Governor has filed a message with the~~  
15 ~~Secretary of the Senate nominating that person to fill that~~  
16 ~~office on or before that 60 days. After that 60 days, each such~~  
17 ~~office is considered vacant and shall be filled only pursuant~~  
18 ~~to the law applicable to making appointments to that office,~~  
19 ~~subject to the provisions of this Section. No person who has~~  
20 ~~been designated by the Governor to serve as an acting appointee~~  
21 ~~to any office to which appointment requires the advice and~~  
22 ~~consent of the Senate shall, except at the Senate's request, be~~  
23 ~~designated again as an acting appointee for that office at the~~  
24 ~~same session of that Senate, subject to the provisions of this~~  
25 ~~Section.~~

26 During the term of a General Assembly, the Governor may not

1 designate a person to serve as an acting appointee to any  
2 office to which appointment requires the advice and consent of  
3 the Senate if that person's nomination to serve as the  
4 appointee for the same office was rejected by the Senate of the  
5 same General Assembly.

6 For the purposes of this subsection (c), "acting appointee"  
7 means a person designated by the Governor to serve as an acting  
8 director or acting secretary pursuant to Section 5-605 of the  
9 Civil Administrative Code of Illinois. "Acting appointee" also  
10 means a person designated by the Governor pursuant to any other  
11 statute to serve as an acting holder of any office, to execute  
12 the duties and functions of any office, or both.

13 (d) The provisions of this Section apply notwithstanding  
14 any law to the contrary. However, the provisions of this  
15 Section do not apply to appointments made under Article 1A of  
16 the Election Code or to the appointment of any person to serve  
17 as Director of the Illinois Power Agency.

18 (Source: P.A. 97-582, eff. 8-26-11; 97-719, eff. 6-29-12.)

19 Section 10. The Personnel Code is amended by changing  
20 Section 9 as follows:

21 (20 ILCS 415/9) (from Ch. 127, par. 63b109)

22 Sec. 9. Director, powers and duties. The Director, as  
23 executive head of the Department, shall direct and supervise  
24 all its administrative and technical activities. In addition to

1 the duties imposed upon him elsewhere in this law, it shall be  
2 his duty:

3 (1) To apply and carry out this law and the rules adopted  
4 thereunder.

5 (2) To attend meetings of the Commission.

6 (3) To establish and maintain a roster of all employees  
7 subject to this Act, in which there shall be set forth, as to  
8 each employee, the class, title, pay, status, and other  
9 pertinent data.

10 (4) To appoint, subject to the provisions of this Act, such  
11 employees of the Department and such experts and special  
12 assistants as may be necessary to carry out effectively this  
13 law.

14 (5) Subject to such exemptions or modifications as may be  
15 necessary to assure the continuity of federal contributions in  
16 those agencies supported in whole or in part by federal funds,  
17 to make appointments to vacancies; to approve all written  
18 charges seeking discharge, demotion, or other disciplinary  
19 measures provided in this Act and to approve transfers of  
20 employees from one geographical area to another in the State,  
21 in offices, positions or places of employment covered by this  
22 Act, after consultation with the operating unit.

23 (6) To formulate and administer service wide policies and  
24 programs for the improvement of employee effectiveness,  
25 including training, safety, health, incentive recognition,  
26 counseling, welfare and employee relations. The Department

1 shall formulate and administer recruitment plans and testing of  
2 potential employees for agencies having direct contact with  
3 significant numbers of non-English speaking or otherwise  
4 culturally distinct persons. The Department shall require each  
5 State agency to annually assess the need for employees with  
6 appropriate bilingual capabilities to serve the significant  
7 numbers of non-English speaking or culturally distinct  
8 persons. The Department shall develop a uniform procedure for  
9 assessing an agency's need for employees with appropriate  
10 bilingual capabilities. Agencies shall establish occupational  
11 titles or designate positions as "bilingual option" for persons  
12 having sufficient linguistic ability or cultural knowledge to  
13 be able to render effective service to such persons. The  
14 Department shall ensure that any such option is exercised  
15 according to the agency's needs assessment and the requirements  
16 of this Code. The Department shall make annual reports of the  
17 needs assessment of each agency and the number of positions  
18 calling for non-English linguistic ability to whom vacancy  
19 postings were sent, and the number filled by each agency. Such  
20 policies and programs shall be subject to approval by the  
21 Governor. Such policies, program reports and needs assessment  
22 reports shall be filed with the General Assembly by January 1  
23 of each year and shall be available to the public.

24 The Department shall include within the report required  
25 above the number of persons receiving the bilingual pay  
26 supplement established by Section 8a.2 of this Code. The report

1 shall provide the number of persons receiving the bilingual pay  
2 supplement for languages other than English and for signing.  
3 The report shall also indicate the number of persons, by the  
4 categories of Hispanic and non-Hispanic, who are receiving the  
5 bilingual pay supplement for language skills other than  
6 signing, in a language other than English.

7 (7) To conduct negotiations affecting pay, hours of work,  
8 or other working conditions of employees subject to this Act.

9 (8) To make continuing studies to improve the efficiency of  
10 State services to the residents of Illinois, including but not  
11 limited to those who are non-English speaking or culturally  
12 distinct, and to report his findings and recommendations to the  
13 Commission and the Governor.

14 (9) To investigate from time to time the operation and  
15 effect of this law and the rules made thereunder and to report  
16 his findings and recommendations to the Commission and to the  
17 Governor.

18 (10) To make an annual report regarding the work of the  
19 Department, and such special reports as he may consider  
20 desirable, to the Commission and to the Governor, or as the  
21 Governor or Commission may request.

22 (11) (Blank). ~~To conduct research and planning regarding~~  
23 ~~the total manpower needs of all offices, including the~~  
24 ~~Lieutenant Governor, Secretary of State, State Treasurer,~~  
25 ~~State Comptroller, State Superintendent of Education, and~~  
26 ~~Attorney General, and of all departments, agencies, boards, and~~

1 ~~commissions of the executive branch, except state supported~~  
2 ~~colleges and universities, and for that purpose to prescribe~~  
3 ~~forms for the reporting of such personnel information as the~~  
4 ~~department may request both for positions covered by this Act~~  
5 ~~and for those exempt in whole or in part.~~

6 (12) To prepare and publish a semi-annual statement showing  
7 the number of employees exempt and non-exempt from merit  
8 selection in each department. This report shall be in addition  
9 to other information on merit selection maintained for public  
10 information under existing law.

11 (13) To authorize in every department or agency subject to  
12 Jurisdiction C the use of flexible hours positions. A flexible  
13 hours position is one that does not require an ordinary work  
14 schedule as determined by the Department and includes but is  
15 not limited to: 1) a part time job of 20 hours or more per week,  
16 2) a job which is shared by 2 employees or a compressed work  
17 week consisting of an ordinary number of working hours  
18 performed on fewer than the number of days ordinarily required  
19 to perform that job. The Department may define flexible time to  
20 include other types of jobs that are defined above.

21 The Director and the director of each department or agency  
22 shall together establish goals for flexible hours positions to  
23 be available in every department or agency.

24 The Department shall give technical assistance to  
25 departments and agencies in achieving their goals, and shall  
26 report to the Governor and the General Assembly each year on

1 the progress of each department and agency.

2 When a goal of 10% of the positions in a department or  
3 agency being available on a flexible hours basis has been  
4 reached, the Department shall evaluate the effectiveness and  
5 efficiency of the program and determine whether to expand the  
6 number of positions available for flexible hours to 20%.

7 When a goal of 20% of the positions in a department or  
8 agency being available on a flexible hours basis has been  
9 reached, the Department shall evaluate the effectiveness and  
10 efficiency of the program and determine whether to expand the  
11 number of positions available for flexible hours.

12 Each department shall develop a plan for implementation of  
13 flexible work requirements designed to reduce the need for day  
14 care of employees' children outside the home. Each department  
15 shall submit a report of its plan to the Department of Central  
16 Management Services and the General Assembly. This report shall  
17 be submitted biennially by March 1, with the first report due  
18 March 1, 1993.

19 (14) To perform any other lawful acts which he may consider  
20 necessary or desirable to carry out the purposes and provisions  
21 of this law.

22 The requirement for reporting to the General Assembly shall  
23 be satisfied by filing copies of the report with the Speaker,  
24 the Minority Leader and the Clerk of the House of  
25 Representatives and the President, the Minority Leader and the  
26 Secretary of the Senate and the Legislative Research Unit, as

1 required by Section 3.1 of "An Act to revise the law in  
2 relation to the General Assembly", approved February 25, 1874,  
3 as amended, and filing such additional copies with the State  
4 Government Report Distribution Center for the General Assembly  
5 as is required under paragraph (t) of Section 7 of the State  
6 Library Act.

7 (Source: P.A. 86-1004; 87-552; 87-1050.)

8 (20 ILCS 605/605-345 rep.)

9 Section 15. The Department of Commerce and Economic  
10 Opportunity Law of the Civil Administrative Code of Illinois is  
11 amended by repealing Section 605-345.

12 Section 20. The Illinois Commission on Volunteerism and  
13 Community Service Act is amended by changing Sections 1, 2, 4,  
14 5.1, 6.1, and 7 and by adding Sections 4.1 and 4.2 as follows:

15 (20 ILCS 710/1) (from Ch. 127, par. 3801)

16 Sec. 1. Creation. There is created in the Department of  
17 Public Health ~~Human Services~~ the Illinois Commission on  
18 Volunteerism and Community Service.

19 (Source: P.A. 91-798, eff. 7-9-00.)

20 (20 ILCS 710/2) (from Ch. 127, par. 3802)

21 Sec. 2. Purpose. The purpose of the Illinois Commission on  
22 Volunteerism and Community Service is to promote and support

1 community service in public and private programs to meet the  
2 needs of Illinois residents ~~citizens~~; to stimulate new  
3 volunteerism and community service initiatives and  
4 partnerships; and to serve as a resource and advocate among all  
5 State agencies ~~within the Department of Human Services~~ for  
6 community service agencies, volunteers, and programs which  
7 utilize federal, State, and private volunteers.

8 (Source: P.A. 91-798, eff. 7-9-00.)

9 (20 ILCS 710/4) (from Ch. 127, par. 3804)

10 Sec. 4. Operation. The Governor shall appoint a Director of  
11 the Commission on Volunteerism and Community Service who shall  
12 serve at the Governor's pleasure and who shall receive such  
13 compensation as is determined by the Governor. The Director  
14 shall employ such staff as is necessary to carry out the  
15 purpose of this Act. The Commission, working in cooperation  
16 with State agencies, individuals, local groups, and  
17 organizations throughout the State, may undertake programs and  
18 activities which further the purposes of this Act, including,  
19 but not limited to, the following:

20 (a) providing technical assistance to programs which  
21 depend upon volunteers;

22 (b) initiating community service programs to meet  
23 previously unmet needs in Illinois;

24 (c) promoting and coordinating efforts to expand and  
25 improve the statewide community service network;

1 (d) recognizing outstanding community service  
2 accomplishments;

3 (e) disseminating information to support community  
4 service programs and to broaden community service  
5 involvement throughout the State;

6 (f) implementing federally funded grant programs in  
7 Illinois such as the National and Community Service Trust  
8 Act, as amended by the Serve America Act;

9 (g) taking an active role in the State's emergency  
10 management plan to coordinate volunteers for disaster  
11 preparedness and response;

12 (h) promoting intergenerational initiatives and  
13 efforts to promote inclusion among diverse populations;  
14 and

15 (i) fostering an environment that promotes social  
16 innovation throughout the State.

17 ~~The Commission may receive and expend funds, grants and~~  
18 ~~services from any source for purposes reasonable and necessary~~  
19 ~~to carry out a coordinated plan of community service throughout~~  
20 ~~the State.~~

21 (Source: P.A. 91-798, eff. 7-9-00.)

22 (20 ILCS 710/4.1 new)

23 Sec. 4.1. Illinois Service Education Award Grant. The  
24 Commission may, subject to appropriation, award an Illinois  
25 Service Education Award Grant to recipients of a national

1 service educational award established under 42 U.S.C. 12602 and  
2 awarded by the Corporation for National Community Service. The  
3 grant must be awarded only as a partial matching grant. An  
4 individual who successfully completes a required term of  
5 full-time national service in an approved national service  
6 position in this State may apply to receive an Illinois Service  
7 Education Award Grant. The Commission shall adopt rules to  
8 govern the process for applying for the grant and for  
9 determining the amount of the grant and any other rules  
10 necessary to implement and administer this Section.

11 An Illinois Service Education Award Grant may be used for  
12 any of the following purposes:

13 (1) To repay student loans associated with attending an  
14 Illinois institution of higher learning, as defined in the  
15 Higher Education Student Assistance Act.

16 (2) To pay all or part of the cost of attendance at an  
17 Illinois institution of higher learning, as defined in the  
18 Higher Education Student Assistance Act.

19 (3) To pay expenses incurred in participating in an  
20 approved Illinois school-to-work program.

21 (4) Any other purpose for which the national service  
22 educational award may lawfully be used.

23 (20 ILCS 710/4.2 new)

24 Sec. 4.2. Receiving and expending funds. The Commission may  
25 receive and expend funds, grants, and services from any source

1 for purposes reasonable and necessary to carry out a  
2 coordinated plan of community service throughout the State.

3 (20 ILCS 710/5.1)

4 Sec. 5.1. Commission. The Commission is established to  
5 encourage community service and volunteer participation as a  
6 means of community and State problem-solving; to promote and  
7 support voluntary resident ~~citizen~~ involvement in government  
8 and private programs throughout the State; to develop a  
9 long-term, comprehensive vision and plan of action for national  
10 volunteerism and community service initiatives in Illinois;  
11 and to serve as the State's liaison to national and State  
12 organizations that support its mission.

13 The Commission shall consist of 15 to 25 bipartisan voting  
14 members and up to 15 bipartisan nonvoting members. At least 25%  
15 of the members must be from the City of Chicago.

16 The Governor shall appoint up to 25 voting members and up  
17 to 15 nonvoting members. Of those initial 25 voting members, 10  
18 shall serve for 3 years, 8 shall serve for 2 years, and 7 shall  
19 serve for one year. Voting members appointed by the Governor  
20 shall include at least ~~one representative of~~ the following: an  
21 expert in the education, training, and development needs of  
22 youth; an expert in philanthropy ~~the chairman of the City~~  
23 ~~Colleges of a municipality having a population of more than 2~~  
24 ~~million;~~ a representative of labor organizations; a  
25 representative of business; a representative of

1 ~~community-based~~ ~~the human services department of a~~  
2 ~~municipality with a population of more than 2 million;~~  
3 ~~community-based~~ organizations; the State Superintendent of  
4 Education; ~~the Superintendent of Police of a municipality~~  
5 ~~having a population of more than 2 million;~~ a youth between 16  
6 and 25 years old who is a participant or supervisor in a  
7 community service program; ~~the President of a County Board of a~~  
8 ~~county having a population of more than 3 million;~~ an expert in  
9 older adult volunteerism; a representative of persons with  
10 disabilities ~~the public health commissioner of a municipality~~  
11 ~~having a population of more than 2 million;~~ a representative of  
12 local government; and a representative of a national service  
13 program. A representative of the federal Corporation for  
14 National Service shall be appointed as a nonvoting member.

15 Appointing authorities shall ensure, to the maximum extent  
16 practicable, that the Commission is diverse with respect to  
17 race, ethnicity, age, gender, geography, and disability. Not  
18 more than 50% of the Commission appointed by the Governor may  
19 be from the same political party.

20 Subsequent voting members of the Commission shall serve  
21 3-year terms. Commissioners must be allowed to serve until new  
22 commissioners are appointed in order to maintain the federally  
23 required number of commissioners.

24 Each nonvoting member shall serve at the pleasure of the  
25 Governor.

26 Members of the Commission may not serve more than 3

1 consecutive terms. Vacancies shall be filled in the same manner  
2 as the original appointments and any member so appointed shall  
3 serve during the remainder of the term for which the vacancy  
4 occurred. The members shall not receive any compensation but  
5 shall be reimbursed for necessary expenses incurred in the  
6 performance of their duties.

7 (Source: P.A. 91-798, eff. 7-9-00.)

8 (20 ILCS 710/6.1)

9 Sec. 6.1. Functions of Commission. The Commission shall  
10 meet at least quarterly and shall advise and consult with the  
11 Department of Public Health and the Governor's Office ~~Human~~  
12 ~~Services and the Director~~ on all matters relating to community  
13 service in Illinois. In addition, the Commission shall have the  
14 following duties:

15 (a) prepare a 3-year State ~~national and community~~ service  
16 plan, developed through an open, public process and updated  
17 annually;

18 (b) prepare the financial assistance applications of the  
19 State under the National and Community Service Trust Fund Act  
20 of 1993, as amended by the Serve America Act;

21 (c) assist in the preparation of the application by the  
22 State Board of Education for assistance under that Act;

23 (d) prepare the State's application under that Act for the  
24 approval of national service positions;

25 (e) assist in the provision of health care and child care

1 benefits under that Act;

2 (f) develop a State recruitment, placement, and  
3 information dissemination system for participants in programs  
4 that receive assistance under the national service laws;

5 (g) administer the State's grant program including  
6 selection, oversight, and evaluation of grant recipients;

7 (h) make technical assistance available to enable  
8 applicants to plan and implement service programs and to apply  
9 for assistance under the national service laws;

10 (i) develop projects, training methods, curriculum  
11 materials, and other activities related to service;

12 (j) coordinate its functions with any division of the  
13 federal Corporation for National and Community Service  
14 outlined in the National and Community Service Trust Fund Act  
15 of 1993, as amended by the Serve America Act.

16 (k) publicize Commission services and promote community  
17 involvement in the activities of the Commission;

18 (l) promote increased visibility and support for  
19 volunteers of all ages, especially youth and senior citizens,  
20 and community service in meeting the needs of Illinois  
21 residents ~~citizens~~; and

22 (m) represent the Department of Public Health and the  
23 Governor's Office ~~Human Services~~ on such occasions and in such  
24 manner as the Department may provide.

25 (Source: P.A. 91-798, eff. 7-9-00.)

1 (20 ILCS 710/7)

2 Sec. 7. Program transfer. On the effective date of this  
3 amendatory Act of the 98th General Assembly ~~this amendatory Act~~  
4 ~~of the 91st General Assembly~~, the authority, powers, and duties  
5 in this Act of the Department of Human Services ~~Commerce and~~  
6 ~~Community Affairs~~ (now Department of Commerce and Economic  
7 ~~Opportunity~~) are transferred to the Department of Public Health  
8 ~~Human Services~~.

9 (Source: P.A. 94-793, eff. 5-19-06.)

10 Section 25. The Energy Conservation and Coal Development  
11 Act is amended by changing Section 3 as follows:

12 (20 ILCS 1105/3) (from Ch. 96 1/2, par. 7403)

13 Sec. 3. Powers and Duties.

14 (a) In addition to its other powers, the Department has the  
15 following powers:

16 (1) To administer for the State any energy programs and  
17 activities under federal law, regulations or guidelines,  
18 and to coordinate such programs and activities with other  
19 State agencies, units of local government, and educational  
20 institutions.

21 (2) To represent the State in energy matters involving  
22 the federal government, other states, units of local  
23 government, and regional agencies.

24 (3) To prepare energy contingency plans for

1 consideration by the Governor and the General Assembly.  
2 Such plans shall include procedures for determining when a  
3 foreseeable danger exists of energy shortages, including  
4 shortages of petroleum, coal, nuclear power, natural gas,  
5 and other forms of energy, and shall specify the actions to  
6 be taken to minimize hardship and maintain the general  
7 welfare during such energy shortages.

8 (4) To cooperate with State colleges and universities  
9 and their governing boards in energy programs and  
10 activities.

11 (5) (Blank).

12 (6) To accept, receive, expend, and administer,  
13 including by contracts and grants to other State agencies,  
14 any energy-related gifts, grants, cooperative agreement  
15 funds, and other funds made available to the Department by  
16 the federal government and other public and private  
17 sources.

18 (7) To investigate practical problems, seek and  
19 utilize financial assistance, implement studies and  
20 conduct research relating to the production, distribution  
21 and use of alcohol fuels.

22 (8) To serve as a clearinghouse for information on  
23 alcohol production technology; provide assistance,  
24 information and data relating to the production and use of  
25 alcohol; develop informational packets and brochures, and  
26 hold public seminars to encourage the development and

1 utilization of the best available technology.

2 (9) To coordinate with other State agencies in order to  
3 promote the maximum flow of information and to avoid  
4 unnecessary overlapping of alcohol fuel programs. In order  
5 to effectuate this goal, the Director of the Department or  
6 his representative shall consult with the Directors, or  
7 their representatives, of the Departments of Agriculture,  
8 Central Management Services, Transportation, and Revenue,  
9 the Office of the State Fire Marshal, and the Environmental  
10 Protection Agency.

11 (10) To operate, within the Department, an Office of  
12 Coal Development and Marketing for the promotion and  
13 marketing of Illinois coal both domestically and  
14 internationally. The Department may use monies  
15 appropriated for this purpose for necessary administrative  
16 expenses.

17 The Office of Coal Development and Marketing shall  
18 develop and implement an initiative to assist the coal  
19 industry in Illinois to increase its share of the  
20 international coal market.

21 (11) To assist the Department of Central Management  
22 Services in establishing and maintaining a system to  
23 analyze and report energy consumption of facilities leased  
24 by the Department of Central Management Services.

25 (12) To consult with the Departments of Natural  
26 Resources and Transportation and the Illinois

1 Environmental Protection Agency for the purpose of  
2 developing methods and standards that encourage the  
3 utilization of coal combustion by-products as value added  
4 products in productive and benign applications.

5 (13) To provide technical assistance and information  
6 to sellers and distributors of storage hot water heaters  
7 doing business in Illinois, pursuant to Section 1 of the  
8 Hot Water Heater Efficiency Act.

9 (b) (Blank).

10 (c) (Blank).

11 (d) The Department shall develop a package of educational  
12 materials containing information regarding the necessity of  
13 waste reduction and recycling to reduce dependence on landfills  
14 and to maintain environmental quality. The Department shall  
15 make this information available to the public on its website  
16 and for schools to access for their development of materials.  
17 Those materials developed shall be suitable for instructional  
18 use in grades 3, 4 and 5. ~~The Department shall distribute such~~  
19 ~~instructional material to all public elementary and unit school~~  
20 ~~districts no later than November 1, of each year.~~

21 (e) (Blank).

22 (f) (Blank).

23 (g) (Blank).

24 (h) (Blank).

25 (i) (Blank).

26 (Source: P.A. 98-44, eff. 6-28-13.)

1 (20 ILCS 2310/2310-373 rep.)

2 (20 ILCS 2310/2310-396 rep.)

3 Section 30. The Department of Public Health Powers and  
4 Duties Law of the Civil Administrative Code of Illinois is  
5 amended by repealing Sections 2310-373 and 2310-396.

6 Section 35. The Governor's Office of Management and Budget  
7 Act is amended by changing Section 7.3 as follows:

8 (20 ILCS 3005/7.3)

9 Sec. 7.3. Annual economic and fiscal policy report. No  
10 later than the 3rd business day in ~~By~~ January ~~1~~ of each year,  
11 the Governor's Office of Management and Budget shall submit an  
12 economic and fiscal policy report to the General Assembly. The  
13 report must outline the long-term economic and fiscal policy  
14 objectives of the State, the economic and fiscal policy  
15 intentions for the upcoming fiscal year, and the economic and  
16 fiscal policy intentions for the following 2 fiscal years. The  
17 report must highlight the total level of revenue, expenditure,  
18 deficit or surplus, and debt with respect to each of the  
19 reporting categories. The report must be posted on the Office's  
20 Internet website and allow members of the public to post  
21 comments concerning the report.

22 (Source: P.A. 96-1354, eff. 7-28-10.)

1 Section 40. The Capital Spending Accountability Law is  
2 amended by changing Section 805 as follows:

3 (20 ILCS 3020/805)

4 Sec. 805. Reports on capital spending. On the first day of  
5 each quarterly period in each fiscal year, the Governor's  
6 Office of Management and Budget shall provide to the  
7 Comptroller, the Treasurer, the President and the Minority  
8 Leader of the Senate, and the Speaker and the Minority Leader  
9 of the House of Representatives a report on the status of all  
10 capital projects in the State. The report ~~may~~ must be provided  
11 in both written and electronic format. The report must include  
12 all of the following:

13 (1) A brief description or stated purpose of each  
14 capital project where applicable (as referred to in this  
15 Section, "project").

16 (2) The amount and source of funds (whether from bond  
17 funds or other revenues) appropriated for each project,  
18 organized into categories including roads, mass transit,  
19 schools, environment, civic centers and other categories  
20 as applicable (as referred to in this Section, "category or  
21 categories"), with subtotals for each category.

22 (3) The date the appropriation bill relating to each  
23 project was signed by the Governor, organized into  
24 categories.

25 (4) The date the written release of the Governor for

1 each project was submitted to the Comptroller or is  
2 projected to be submitted and, if a release for any project  
3 has not been submitted within 6 months after its  
4 appropriation became law, an explanation why the project  
5 has not yet been released, all organized into categories.

6 (5) The amount of expenditures to date by the State  
7 relating to each project and estimated amount of total  
8 State expenditures and proposed schedule of future State  
9 expenditures relating to each project, all organized into  
10 categories.

11 (6) A timeline for completion of each project,  
12 including the dates, if applicable, of execution by the  
13 State of any grant agreement, any required engineering or  
14 design work or environmental approvals, and the estimated  
15 or actual dates of the start and completion of  
16 construction, all organized into categories. Any  
17 substantial variances on any project from this reported  
18 timeline must be explained in the next quarterly report.

19 (7) A summary report of the status of all projects,  
20 including the amount of undisbursed funds intended to be  
21 held or used in the next quarter.

22 (Source: P.A. 96-34, eff. 7-13-09.)

23 Section 45. The General Assembly Operations Act is amended  
24 by changing Section 2 as follows:

1 (25 ILCS 10/2) (from Ch. 63, par. 23.2)

2 Sec. 2. The Speaker of the House and the President of the  
3 Senate, and the Chairman and members of the Senate Committee on  
4 Committees shall be considered as holding continuing offices  
5 until their respective successors are elected and qualified.

6 In the event of death or resignation of the Speaker of the  
7 House or of the President of the Senate after the sine die  
8 adjournment of the session of the General Assembly at which he  
9 was elected, the powers held by him shall pass respectively to  
10 the Majority Leader of the House of Representatives or to the  
11 ~~Assistant~~ Majority Leader of the Senate who, for the purposes  
12 of such powers shall be considered as holding continuing  
13 offices until his respective successors are elected and  
14 qualified.

15 (Source: P.A. 78-10.)

16 Section 50. The General Assembly Compensation Act is  
17 amended by changing Section 4.1 as follows:

18 (25 ILCS 115/4.1) (from Ch. 63, par. 15.2)

19 Sec. 4.1. Payment techniques and procedures shall be  
20 according to rules made by the Senate Committee on Assignment  
21 of Bills ~~Operations Commission~~ or the Rules Committee of the  
22 House, as the case may be.

23 (Source: P.A. 79-806; 79-1023; 79-1454.)

1 Section 55. The Legislative Commission Reorganization Act  
2 of 1984 is amended by changing Sections 1-5 and 8A-15 as  
3 follows:

4 (25 ILCS 130/1-5) (from Ch. 63, par. 1001-5)

5 Sec. 1-5. Composition of agencies; directors.

6 ~~(a) (1) Each legislative support services agency listed in~~  
7 ~~Section 1-3 is hereafter in this Section referred to as the~~  
8 ~~Agency.~~

9 ~~(2) (Blank).~~

10 ~~(2.1) (Blank).~~

11 ~~(2.5) The Board of the Office of the Architect of the~~  
12 ~~Capitol shall consist of the Secretary and Assistant Secretary~~  
13 ~~of the Senate and the Clerk and Assistant Clerk of the House of~~  
14 ~~Representatives. When the Board has cast a tied vote concerning~~  
15 ~~the design, implementation, or construction of a project within~~  
16 ~~the legislative complex, as defined in Section 8A-15, the~~  
17 ~~Architect of the Capitol may cast the tie breaking vote.~~

18 The Boards of the Joint Committee on Administrative Rules,  
19 the Commission on Government Forecasting and Accountability,  
20 the Legislative Audit Committee, and the Legislative Research  
21 Unit ~~(3) The other legislative support services agencies shall~~  
22 each consist of 12 members of the General Assembly, of whom 3  
23 shall be appointed by the President of the Senate, 3 shall be  
24 appointed by the Minority Leader of the Senate, 3 shall be  
25 appointed by the Speaker of the House of Representatives, and 3

1 shall be appointed by the Minority Leader of the House of  
2 Representatives. All appointments shall be in writing and filed  
3 with the Secretary of State as a public record.

4 Members shall serve a 2-year term, and must be appointed by  
5 the Joint Committee during the month of January in each  
6 odd-numbered year for terms beginning February 1. Any vacancy  
7 in an Agency shall be filled by appointment for the balance of  
8 the term in the same manner as the original appointment. A  
9 vacancy shall exist when a member no longer holds the elected  
10 legislative office held at the time of the appointment or at  
11 the termination of the member's legislative service.

12 During the month of February of each odd-numbered year, the  
13 Joint Committee on Legislative Support Services shall select  
14 from the members of the Board of each Agency 2 co-chairpersons  
15 and such other officers as the Joint Committee deems necessary.  
16 The co-chairpersons of each Board shall serve for a 2-year  
17 term, beginning February 1 of the odd-numbered year, and the 2  
18 co-chairpersons shall not be members of or identified with the  
19 same house or the same political party.

20 Each Board shall meet twice annually or more often upon the  
21 call of the chair or any 9 members. A quorum of the Board shall  
22 consist of a majority of the appointed members.

23 (b) The Board of each of the following legislative support  
24 agencies shall consist of the Secretary and Assistant Secretary  
25 of the Senate and the Clerk and Assistant Clerk of the House of  
26 Representatives: the Legislative Information System, the

1 Legislative Printing Unit, the Legislative Reference Bureau,  
2 and the Office of the Architect of the Capitol. The  
3 co-chairpersons of the Board of the Office of the Architect of  
4 the Capitol shall be the Secretary of the Senate and the Clerk  
5 of the House of Representatives, each ex officio. (Blank).

6 The Chairperson of each of the other Boards shall be the  
7 member who is affiliated with the same caucus as the then  
8 serving Chairperson of the Joint Committee on Legislative  
9 Support Services. Each Board shall meet twice annually or more  
10 often upon the call of the chair or any 3 members. A quorum of  
11 the Board shall consist of a majority of the appointed members.

12 When the Board of the Office of the Architect of the  
13 Capitol has cast a tied vote concerning the design,  
14 implementation, or construction of a project within the  
15 legislative complex, as defined in Section 8A-15, the Architect  
16 of the Capitol may cast the tie-breaking vote.

17 (c) (Blank). ~~During the month of February of each~~  
18 ~~odd numbered year, the Joint Committee on Legislative Support~~  
19 ~~Services shall select from the members of each agency, other~~  
20 ~~than the Office of the Architect of the Capitol, 2 co chairmen~~  
21 ~~and such other officers as the Joint Committee deems necessary.~~  
22 ~~The co chairmen of each Agency shall serve for a 2 year term,~~  
23 ~~beginning February 1 of the odd numbered year, and the 2~~  
24 ~~co chairmen shall not be members of or identified with the same~~  
25 ~~house or the same political party. The co chairmen of the Board~~  
26 ~~of the Office of the Architect of the Capitol shall be the~~

1 ~~Secretary of the Senate and the Clerk of the House of~~  
2 ~~Representatives, each ex officio.~~

3 ~~Each Agency shall meet twice annually or more often upon~~  
4 ~~the call of the chair or any 9 members (or any 3 members in the~~  
5 ~~case of the Office of the Architect of the Capitol). A quorum~~  
6 ~~of the Agency shall consist of a majority of the appointed~~  
7 ~~members.~~

8 (d) Members of each Agency shall serve without  
9 compensation, but shall be reimbursed for expenses incurred in  
10 carrying out the duties of the Agency pursuant to rules and  
11 regulations adopted by the Joint Committee on Legislative  
12 Support Services.

13 (e) Beginning February 1, 1985, and every 2 years  
14 thereafter, the Joint Committee shall select an Executive  
15 Director who shall be the chief executive officer and staff  
16 director of each Agency. The Executive Director shall receive a  
17 salary as fixed by the Joint Committee and shall be authorized  
18 to employ and fix the compensation of necessary professional,  
19 technical and secretarial staff and prescribe their duties,  
20 sign contracts, and issue vouchers for the payment of  
21 obligations pursuant to rules and regulations adopted by the  
22 Joint Committee on Legislative Support Services. The Executive  
23 Director and other employees of the Agency shall not be subject  
24 to the Personnel Code.

25 The executive director of the Office of the Architect of  
26 the Capitol shall be known as the Architect of the Capitol.

1 (Source: P.A. 96-959, eff. 7-1-10.)

2 (25 ILCS 130/8A-15)

3 Sec. 8A-15. Master plan.

4 (a) The term "legislative complex" means (i) the buildings  
5 and facilities located in Springfield, Illinois, and occupied  
6 in whole or in part by the General Assembly or any of its  
7 support service agencies, (ii) the grounds, walkways, and  
8 tunnels surrounding or connected to those buildings and  
9 facilities, and (iii) the off-street parking areas serving  
10 those buildings and facilities.

11 (b) The Architect of the Capitol shall prepare and  
12 implement a long-range master plan of development for the State  
13 Capitol Building, ~~and the remaining portions of the legislative~~  
14 complex, and the land and State buildings and facilities within  
15 the area bounded by Washington, Third, Cook, and Pasfield  
16 Streets that addresses the improvement, construction, historic  
17 preservation, restoration, maintenance, repair, and  
18 landscaping needs of these State buildings and facilities and  
19 the land ~~the State Capitol Building and the remaining portions~~  
20 ~~of the legislative complex~~. The Architect of the Capitol shall  
21 submit the master plan to the Capitol Historic Preservation  
22 Board for its review and comment. The Board must confine its  
23 review and comment to those portions of the master plan that  
24 relate to areas ~~of the legislative complex~~ other than the State  
25 Capitol Building. The Architect may incorporate suggestions of

1 the Board into the master plan. The master plan must be  
2 submitted to and approved by the Board of the Office of the  
3 Architect of the Capitol before its implementation.

4 The Architect of the Capitol may change the master plan and  
5 shall submit changes in the master plan that relate to areas ~~of~~  
6 ~~the legislative complex~~ other than the State Capitol Building  
7 to the Capitol Historic Preservation Board for its review and  
8 comment. All changes in the master plan must be submitted to  
9 and approved by the Board of the Office of the Architect of the  
10 Capitol before implementation.

11 (c) The Architect of the Capitol must review the master  
12 plan every 5 years or at the direction of the Board of the  
13 Office of the Architect of the Capitol. Changes in the master  
14 plan resulting from this review must be made in accordance with  
15 the procedure provided in subsection (b).

16 (d) Notwithstanding any other law to the contrary, the  
17 Architect of the Capitol has the sole authority to contract for  
18 all materials and services necessary for the implementation of  
19 the master plan. The Architect (i) may comply with the  
20 procedures established by the Joint Committee on Legislative  
21 Support Services under Section 1-4 or (ii) upon approval of the  
22 Board of the Office of the Architect of the Capitol, may, but  
23 is not required to, comply with a portion or all of the  
24 Illinois Procurement Code when entering into contracts under  
25 this subsection. The Architect's compliance with the Illinois  
26 Procurement Code shall not be construed to subject the

1 Architect or any other entity of the legislative branch to the  
2 Illinois Procurement Code with respect to any other contract.

3 The Architect may enter into agreements with other State  
4 agencies for the provision of materials or performance of  
5 services necessary for the implementation of the master plan.

6 State officers and agencies providing normal, day-to-day  
7 repair, maintenance, or landscaping or providing security,  
8 commissary, utility, parking, banking, tour guide, event  
9 scheduling, or other operational services for buildings and  
10 facilities within the legislative complex immediately prior to  
11 the effective date of this amendatory Act of the 93rd General  
12 Assembly shall continue to provide that normal, day-to-day  
13 repair, maintenance, or landscaping or those services on the  
14 same basis, whether by contract or employees, that the repair,  
15 maintenance, landscaping, or services were provided  
16 immediately prior to the effective date of this amendatory Act  
17 of the 93rd General Assembly, subject to the provisions of the  
18 master plan and as otherwise directed by the Architect of the  
19 Capitol.

20 (e) The Architect of the Capitol shall monitor  
21 construction, preservation, restoration, maintenance, repair,  
22 and landscaping work in the legislative complex and  
23 implementation of the master plan, as well as ~~all other~~  
24 activities that alter the historic integrity of the legislative  
25 complex and the other land and State buildings and facilities  
26 in the master plan.

1 (Source: P.A. 93-632, eff. 2-1-04.)

2 (30 ILCS 105/5.250 rep.)

3 Section 60. The State Finance Act is amended by repealing  
4 Section 5.250.

5 Section 65. The Property Tax Code is amended by changing  
6 Sections 8-35, 17-20, and 17-40 as follows:

7 (35 ILCS 200/8-35)

8 Sec. 8-35. Notification requirements; procedure on  
9 protest.

10 (a) Assessments made by the Department. Upon completion of  
11 its original assessments, the Department shall publish a  
12 complete list of the assessments on its official website. ~~in~~  
13 ~~the State "official newspaper."~~ Any person feeling aggrieved by  
14 any such assessment may, within 10 days of the date of  
15 publication of the list, apply to the Department for a review  
16 and correction of that assessment. Upon review of the  
17 assessment, the Department shall make any correction as it  
18 considers just.

19 If review of an assessment has been made and notice has  
20 been given of the Department's decision, any party to the  
21 proceeding who feels aggrieved by the decision, may file an  
22 application for hearing. The application shall be in writing  
23 and shall be filed with the Department within 20 days after

1 notice of the decision has been given by certified mail.  
2 Petitions for hearing shall state concisely the mistakes  
3 alleged to have been made or the new evidence to be presented.

4 No action for the judicial review of any assessment  
5 decision of the Department shall be allowed unless the party  
6 commencing such action has filed an application for a hearing  
7 and the Department has acted upon the application.

8 The extension of taxes on an assessment shall not be  
9 delayed by any proceeding under this Section. In cases where  
10 the assessment is revised, the taxes extended upon the  
11 assessment, or that part of the taxes as may be appropriate,  
12 shall be abated or, if already paid, refunded.

13 (b) Exemption decisions made by the Department. Notice of  
14 each exemption decision made by the Department under Section  
15 15-25, 16-70, or 16-130 shall be given by certified mail to the  
16 applicant for exemption.

17 If an exemption decision has been made by the Department  
18 and notice has been given of the Department's decision, any  
19 party to the proceeding who feels aggrieved by the decision may  
20 file an application for hearing. The application shall be in  
21 writing and shall be filed with the Department within 60 days  
22 after notice of the decision has been given by certified mail.  
23 Petitions for hearing shall state concisely the mistakes  
24 alleged to have been made or the new evidence to be presented.

25 If a petition for hearing is filed, the Department shall  
26 reconsider the exemption decision and shall grant any party to

1 the proceeding a hearing. As soon as practical after the  
2 reconsideration and hearing, the Department shall issue a  
3 notice of decision by mailing the notice by certified mail. The  
4 notice shall set forth the Department's findings of fact and  
5 the basis of the decision.

6 Within 30 days after the mailing of a notice of decision,  
7 any party to the proceeding may file with the Director a  
8 written request for rehearing in such form as the Department  
9 may by rule prescribe, setting forth the grounds on which  
10 rehearing is requested. If rehearing or Departmental review is  
11 granted, as soon as practical after the rehearing or  
12 Departmental review has been held, the Department shall issue a  
13 revised decision to the party or the party's legal  
14 representative as a result of the rehearing. The action of the  
15 Department on a petition for hearing shall become final the  
16 later of (i) 30 days after issuance of a notice of decision, if  
17 no request for rehearing is made, or (ii) if a timely request  
18 for rehearing is made, upon the issuance of the denial of the  
19 request or the issuance of a notice of final decision.

20 No action for the judicial review of any exemption decision  
21 of the Department shall be allowed unless the party commencing  
22 the action has filed an application for a hearing and the  
23 Department has acted upon the application.

24 The extension of taxes on an assessment shall not be  
25 delayed by any proceeding under this Section. In cases when the  
26 exemption is granted, in whole or in part, the taxes extended

1 upon the assessment, or that part of the taxes as may be  
2 appropriate, shall be abated or, if already paid, refunded.

3 (Source: P.A. 92-658, eff. 7-16-02.)

4 (35 ILCS 200/17-20)

5 Sec. 17-20. Hearing on tentative equalization factor. The  
6 Department shall, after publishing its tentative equalization  
7 factor and giving notice of hearing to the public on its  
8 official website ~~in a newspaper of general circulation in the~~  
9 ~~county~~, hold a hearing on its estimate not less than 10 days  
10 nor more than 30 days from the date of the publication. The  
11 notice shall state the date and time of the hearing, which  
12 shall be held in either Chicago or Springfield, the basis for  
13 the estimate of the Department, and further information as the  
14 Department may prescribe. The Department shall, after giving a  
15 hearing to all interested parties and opportunity for  
16 submitting testimony and evidence in support of or adverse to  
17 the estimate as the Department considers requisite, either  
18 confirm or revise the estimate so as to correctly represent the  
19 considered judgment of the Department respecting the estimated  
20 percentage to be added to or deducted from the aggregate  
21 assessment of all locally assessed property in the county  
22 except property assessed under Sections 10-110 through 10-140  
23 or 10-170 through 10-200. Within 30 days after the conclusion  
24 of the hearing the Department shall mail to the County Clerk,  
25 by certified mail, its determination with respect to such

1 estimated percentage to be added to or deducted from the  
2 aggregate assessment.

3 (Source: P.A. 91-555, eff. 1-1-00.)

4 (35 ILCS 200/17-40)

5 Sec. 17-40. Publication of final equalization factor. The  
6 Department shall publish on its official website ~~in each county~~  
7 the percentage and equalization factor certified to each county  
8 clerk under Section 17-30. If the percentage differs from the  
9 percentage derived from the initial estimate certified under  
10 Section 17-15, a statement as to the basis for the final  
11 percentage shall also be published. The Department shall  
12 provide the statement to any member of the public upon request.

13 (Source: P.A. 79-703; 88-455.)

14 Section 70. The Adult Education Reporting Act is amended by  
15 changing Section 1 as follows:

16 (105 ILCS 410/1) (from Ch. 122, par. 1851)

17 Sec. 1. As used in this Act, "agency" means: the  
18 Departments of Corrections, ~~Public Aid~~, Commerce and Economic  
19 Opportunity, Human Services, and Public Health; the Secretary  
20 of State; the Illinois Community College Board; and the  
21 Administrative Office of the Illinois Courts. On and after July  
22 1, 2001, "agency" includes the State Board of Education and  
23 does not include the Illinois Community College Board.

1 (Source: P.A. 94-793, eff. 5-19-06.)

2 Section 75. The Public Community College Act is amended by  
3 changing Section 2-10 as follows:

4 (110 ILCS 805/2-10) (from Ch. 122, par. 102-10)

5 Sec. 2-10. The State Board shall make a thorough,  
6 comprehensive and continuous study of the status of community  
7 college education, its problems, needs for improvement, and  
8 projected developments and shall make a detailed report thereof  
9 to the General Assembly not later than March 1 of each  
10 odd-numbered year and shall submit recommendations for such  
11 legislation as it deems necessary.

12 The requirement for reporting to the General Assembly shall  
13 be satisfied by electronically filing copies of the report with  
14 the Speaker, the Minority Leader and the Clerk of the House of  
15 Representatives and the President, the Minority Leader and the  
16 Secretary of the Senate and the Legislative Research Unit, as  
17 required by Section 3.1 of "An Act to revise the law in  
18 relation to the General Assembly", approved February 25, 1874,  
19 as amended, and electronically filing such additional copies  
20 with the State Government Report Distribution Center for the  
21 General Assembly as is required under paragraph (t) of Section  
22 7 of the State Library Act. A copy of the report shall also be  
23 posted on the State Board's website.

24 (Source: P.A. 84-1438.)

1 (215 ILCS 5/178 rep.)

2 Section 80. The Illinois Insurance Code is amended by  
3 repealing Section 178.

4 (215 ILCS 5/Art. XVI rep.)

5 (215 ILCS 5/Art. XIXB rep.)

6 Section 85. The Illinois Insurance Code is amended by  
7 repealing Articles XVI and XIXB.

8 (225 ILCS 120/24 rep.)

9 Section 90. The Wholesale Drug Distribution Licensing Act  
10 is amended by repealing Section 24.

11 Section 95. The Solid Waste Site Operator Certification Law  
12 is amended by changing Section 1011 as follows:

13 (225 ILCS 230/1011) (from Ch. 111, par. 7861)

14 Sec. 1011. Fees.

15 (a) Fees for the issuance or renewal of a Solid Waste Site  
16 Operator Certificate shall be as follows:

17 (1) (A) \$400 for issuance or renewal for Class A Solid  
18 Waste Site Operators; (B) \$200 for issuance or renewal for  
19 Class B Solid Waste Site Operators; and (C) \$100 for  
20 issuance or renewal for special waste endorsements.

21 (2) If the fee for renewal is not paid within the grace

1 period the above fees for renewal shall each be increased  
2 by \$50.

3 (b) Before the effective date of this amendatory Act of the  
4 98th General Assembly, all ~~All~~ fees collected by the Agency  
5 under this Section shall be deposited into the Hazardous Waste  
6 Occupational Licensing Fund. The Agency is authorized to use  
7 monies in the Hazardous Waste Occupational Licensing Fund to  
8 perform its functions, powers, and duties under this Section.

9 On and after the effective date of this amendatory Act of  
10 the 98th General Assembly, all fees collected by the Agency  
11 under this Section shall be deposited into the Environmental  
12 Protection Permit and Inspection Fund to be used in accordance  
13 with the provisions of Section 22.8 of the Environmental  
14 Protection Act.

15 (Source: P.A. 86-1363.)

16 Section 100. The Illinois Athlete Agents Act is amended by  
17 changing Section 180 as follows:

18 (225 ILCS 401/180)

19 Sec. 180. Civil penalties.

20 (a) In addition to any other penalty provided by law, any  
21 person who violates this Act shall forfeit and pay a civil  
22 penalty to the Department in an amount not to exceed \$10,000  
23 for each violation as determined by the Department. The civil  
24 penalty shall be assessed by the Department in accordance with

1 the provisions of this Act.

2 (b) The Department has the authority and power to  
3 investigate any and all unlicensed activity.

4 (c) The civil penalty shall be paid within 60 days after  
5 the effective date of the order imposing the civil penalty. The  
6 order shall constitute a judgment and may be filed and  
7 execution had thereon in the same manner as any judgment from  
8 any court of record.

9 (d) All moneys collected under this Section shall be  
10 deposited into the General Professions Dedicated Fund.

11 (Source: P.A. 96-1030, eff. 1-1-11.)

12 Section 105. The Illinois Horse Racing Act of 1975 is  
13 amended by changing Section 30 as follows:

14 (230 ILCS 5/30) (from Ch. 8, par. 37-30)

15 Sec. 30. (a) The General Assembly declares that it is the  
16 policy of this State to encourage the breeding of thoroughbred  
17 horses in this State and the ownership of such horses by  
18 residents of this State in order to provide for: sufficient  
19 numbers of high quality thoroughbred horses to participate in  
20 thoroughbred racing meetings in this State, and to establish  
21 and preserve the agricultural and commercial benefits of such  
22 breeding and racing industries to the State of Illinois. It is  
23 the intent of the General Assembly to further this policy by  
24 the provisions of this Act.

1           (b) Each organization licensee conducting a thoroughbred  
2 racing meeting pursuant to this Act shall provide at least two  
3 races each day limited to Illinois conceived and foaled horses  
4 or Illinois foaled horses or both. A minimum of 6 races shall  
5 be conducted each week limited to Illinois conceived and foaled  
6 or Illinois foaled horses or both. No horses shall be permitted  
7 to start in such races unless duly registered under the rules  
8 of the Department of Agriculture.

9           (c) Conditions of races under subsection (b) shall be  
10 commensurate with past performance, quality, and class of  
11 Illinois conceived and foaled and Illinois foaled horses  
12 available. If, however, sufficient competition cannot be had  
13 among horses of that class on any day, the races may, with  
14 consent of the Board, be eliminated for that day and substitute  
15 races provided.

16           (d) There is hereby created a special fund of the State  
17 Treasury to be known as the Illinois Thoroughbred Breeders  
18 Fund.

19           Except as provided in subsection (g) of Section 27 of this  
20 Act, 8.5% of all the monies received by the State as privilege  
21 taxes on Thoroughbred racing meetings shall be paid into the  
22 Illinois Thoroughbred Breeders Fund.

23           (e) The Illinois Thoroughbred Breeders Fund shall be  
24 administered by the Department of Agriculture with the advice  
25 and assistance of the Advisory Board created in subsection (f)  
26 of this Section.

1 (f) The Illinois Thoroughbred Breeders Fund Advisory Board  
2 shall consist of the Director of the Department of Agriculture,  
3 who shall serve as Chairman; a member of the Illinois Racing  
4 Board, designated by it; 2 representatives of the organization  
5 licensees conducting thoroughbred racing meetings, recommended  
6 by them; 2 representatives of the Illinois Thoroughbred  
7 Breeders and Owners Foundation, recommended by it; and 2  
8 representatives of the Horsemen's Benevolent Protective  
9 Association or any successor organization established in  
10 Illinois comprised of the largest number of owners and  
11 trainers, recommended by it, with one representative of the  
12 Horsemen's Benevolent and Protective Association to come from  
13 its Illinois Division, and one from its Chicago Division.  
14 Advisory Board members shall serve for 2 years commencing  
15 January 1 of each odd numbered year. If representatives of the  
16 organization licensees conducting thoroughbred racing  
17 meetings, the Illinois Thoroughbred Breeders and Owners  
18 Foundation, and the Horsemen's Benevolent Protection  
19 Association have not been recommended by January 1, of each odd  
20 numbered year, the Director of the Department of Agriculture  
21 shall make an appointment for the organization failing to so  
22 recommend a member of the Advisory Board. Advisory Board  
23 members shall receive no compensation for their services as  
24 members but shall be reimbursed for all actual and necessary  
25 expenses and disbursements incurred in the execution of their  
26 official duties.

1           (g) No monies shall be expended from the Illinois  
2 Thoroughbred Breeders Fund except as appropriated by the  
3 General Assembly. Monies appropriated from the Illinois  
4 Thoroughbred Breeders Fund shall be expended by the Department  
5 of Agriculture, with the advice and assistance of the Illinois  
6 Thoroughbred Breeders Fund Advisory Board, for the following  
7 purposes only:

8           (1) To provide purse supplements to owners of horses  
9 participating in races limited to Illinois conceived and  
10 foaled and Illinois foaled horses. Any such purse  
11 supplements shall not be included in and shall be paid in  
12 addition to any purses, stakes, or breeders' awards offered  
13 by each organization licensee as determined by agreement  
14 between such organization licensee and an organization  
15 representing the horsemen. No monies from the Illinois  
16 Thoroughbred Breeders Fund shall be used to provide purse  
17 supplements for claiming races in which the minimum  
18 claiming price is less than \$7,500.

19           (2) To provide stakes and awards to be paid to the  
20 owners of the winning horses in certain races limited to  
21 Illinois conceived and foaled and Illinois foaled horses  
22 designated as stakes races.

23           (2.5) To provide an award to the owner or owners of an  
24 Illinois conceived and foaled or Illinois foaled horse that  
25 wins a maiden special weight, an allowance, overnight  
26 handicap race, or claiming race with claiming price of

1       \$10,000 or more providing the race is not restricted to  
2       Illinois conceived and foaled or Illinois foaled horses.  
3       Awards shall also be provided to the owner or owners of  
4       Illinois conceived and foaled and Illinois foaled horses  
5       that place second or third in those races. To the extent  
6       that additional moneys are required to pay the minimum  
7       additional awards of 40% of the purse the horse earns for  
8       placing first, second or third in those races for Illinois  
9       foaled horses and of 60% of the purse the horse earns for  
10      placing first, second or third in those races for Illinois  
11      conceived and foaled horses, those moneys shall be provided  
12      from the purse account at the track where earned.

13           (3) To provide stallion awards to the owner or owners  
14      of any stallion that is duly registered with the Illinois  
15      Thoroughbred Breeders Fund Program prior to the effective  
16      date of this amendatory Act of 1995 whose duly registered  
17      Illinois conceived and foaled offspring wins a race  
18      conducted at an Illinois thoroughbred racing meeting other  
19      than a claiming race. Such award shall not be paid to the  
20      owner or owners of an Illinois stallion that served outside  
21      this State at any time during the calendar year in which  
22      such race was conducted.

23           (4) To provide \$75,000 annually for purses to be  
24      distributed to county fairs that provide for the running of  
25      races during each county fair exclusively for the  
26      thoroughbreds conceived and foaled in Illinois. The

1 conditions of the races shall be developed by the county  
2 fair association and reviewed by the Department with the  
3 advice and assistance of the Illinois Thoroughbred  
4 Breeders Fund Advisory Board. There shall be no wagering of  
5 any kind on the running of Illinois conceived and foaled  
6 races at county fairs.

7 (4.1) To provide purse money for an Illinois stallion  
8 stakes program.

9 (5) No less than 80% of all monies appropriated from  
10 the Illinois Thoroughbred Breeders Fund shall be expended  
11 for the purposes in (1), (2), (2.5), (3), (4), (4.1), and  
12 (5) as shown above.

13 (6) To provide for educational programs regarding the  
14 thoroughbred breeding industry.

15 (7) To provide for research programs concerning the  
16 health, development and care of the thoroughbred horse.

17 (8) To provide for a scholarship and training program  
18 for students of equine veterinary medicine.

19 (9) To provide for dissemination of public information  
20 designed to promote the breeding of thoroughbred horses in  
21 Illinois.

22 (10) To provide for all expenses incurred in the  
23 administration of the Illinois Thoroughbred Breeders Fund.

24 (h) Whenever the Governor finds that the amount in the  
25 Illinois Thoroughbred Breeders Fund is more than the total of  
26 the outstanding appropriations from such fund, the Governor

1 shall notify the State Comptroller and the State Treasurer of  
2 such fact. The Comptroller and the State Treasurer, upon  
3 receipt of such notification, shall transfer such excess amount  
4 from the Illinois Thoroughbred Breeders Fund to the General  
5 Revenue Fund.

6 (i) A sum equal to 12 1/2% of the first prize money of  
7 every purse won by an Illinois foaled or an Illinois conceived  
8 and foaled horse in races not limited to Illinois foaled horses  
9 or Illinois conceived and foaled horses, or both, shall be paid  
10 by the organization licensee conducting the horse race meeting.  
11 Such sum shall be paid from the organization licensee's share  
12 of the money wagered as follows: 11 1/2% to the breeder of the  
13 winning horse and 1% to the organization representing  
14 thoroughbred breeders and owners whose representative serves  
15 on the Illinois Thoroughbred Breeders Fund Advisory Board for  
16 verifying the amounts of breeders' awards earned, assuring  
17 their distribution in accordance with this Act, and servicing  
18 and promoting the Illinois thoroughbred horse racing industry.  
19 The organization representing thoroughbred breeders and owners  
20 shall cause all expenditures of monies received under this  
21 subsection (i) to be audited at least annually by a registered  
22 public accountant. The organization shall file copies of each  
23 annual audit with the Racing Board, the Clerk of the House of  
24 Representatives and the Secretary of the Senate, and shall make  
25 copies of each annual audit available to the public upon  
26 request and upon payment of the reasonable cost of photocopying

1 the requested number of copies. Such payments shall not reduce  
2 any award to the owner of the horse or reduce the taxes payable  
3 under this Act. Upon completion of its racing meet, each  
4 organization licensee shall deliver to the organization  
5 representing thoroughbred breeders and owners whose  
6 representative serves on the Illinois Thoroughbred Breeders  
7 Fund Advisory Board a listing of all the Illinois foaled and  
8 the Illinois conceived and foaled horses which won breeders'  
9 awards and the amount of such breeders' awards under this  
10 subsection to verify accuracy of payments and assure proper  
11 distribution of breeders' awards in accordance with the  
12 provisions of this Act. Such payments shall be delivered by the  
13 organization licensee within 30 days of the end of each race  
14 meeting.

15 (j) A sum equal to 12 1/2% of the first prize money won in  
16 each race limited to Illinois foaled horses or Illinois  
17 conceived and foaled horses, or both, shall be paid in the  
18 following manner by the organization licensee conducting the  
19 horse race meeting, from the organization licensee's share of  
20 the money wagered: 11 1/2% to the breeders of the horses in  
21 each such race which are the official first, second, third and  
22 fourth finishers and 1% to the organization representing  
23 thoroughbred breeders and owners whose representative serves  
24 on the Illinois Thoroughbred Breeders Fund Advisory Board for  
25 verifying the amounts of breeders' awards earned, assuring  
26 their proper distribution in accordance with this Act, and

1 servicing and promoting the Illinois thoroughbred horse racing  
2 industry. The organization representing thoroughbred breeders  
3 and owners shall cause all expenditures of monies received  
4 under this subsection (j) to be audited at least annually by a  
5 registered public accountant. The organization shall file  
6 copies of each annual audit with the Racing Board, the Clerk of  
7 the House of Representatives and the Secretary of the Senate,  
8 and shall make copies of each annual audit available to the  
9 public upon request and upon payment of the reasonable cost of  
10 photocopying the requested number of copies.

11 The 11 1/2% paid to the breeders in accordance with this  
12 subsection shall be distributed as follows:

13 (1) 60% of such sum shall be paid to the breeder of the  
14 horse which finishes in the official first position;

15 (2) 20% of such sum shall be paid to the breeder of the  
16 horse which finishes in the official second position;

17 (3) 15% of such sum shall be paid to the breeder of the  
18 horse which finishes in the official third position; and

19 (4) 5% of such sum shall be paid to the breeder of the  
20 horse which finishes in the official fourth position.

21 Such payments shall not reduce any award to the owners of a  
22 horse or reduce the taxes payable under this Act. Upon  
23 completion of its racing meet, each organization licensee shall  
24 deliver to the organization representing thoroughbred breeders  
25 and owners whose representative serves on the Illinois  
26 Thoroughbred Breeders Fund Advisory Board a listing of all the

1 Illinois foaled and the Illinois conceived and foaled horses  
2 which won breeders' awards and the amount of such breeders'  
3 awards in accordance with the provisions of this Act. Such  
4 payments shall be delivered by the organization licensee within  
5 30 days of the end of each race meeting.

6 (k) The term "breeder", as used herein, means the owner of  
7 the mare at the time the foal is dropped. An "Illinois foaled  
8 horse" is a foal dropped by a mare which enters this State on  
9 or before December 1, in the year in which the horse is bred,  
10 provided the mare remains continuously in this State until its  
11 foal is born. An "Illinois foaled horse" also means a foal born  
12 of a mare in the same year as the mare enters this State on or  
13 before March 1, and remains in this State at least 30 days  
14 after foaling, is bred back during the season of the foaling to  
15 an Illinois Registered Stallion (unless a veterinarian  
16 certifies that the mare should not be bred for health reasons),  
17 and is not bred to a stallion standing in any other state  
18 during the season of foaling. An "Illinois foaled horse" also  
19 means a foal born in Illinois of a mare purchased at public  
20 auction subsequent to the mare entering this State prior to  
21 February 1 of the foaling year providing the mare is owned  
22 solely by one or more Illinois residents or an Illinois entity  
23 that is entirely owned by one or more Illinois residents.

24 (l) The Department of Agriculture shall, by rule, with the  
25 advice and assistance of the Illinois Thoroughbred Breeders  
26 Fund Advisory Board:

1           (1) Qualify stallions for Illinois breeding; such  
2 stallions to stand for service within the State of Illinois  
3 at the time of a foal's conception. Such stallion must not  
4 stand for service at any place outside the State of  
5 Illinois during the calendar year in which the foal is  
6 conceived. The Department of Agriculture may assess and  
7 collect application fees for the registration of  
8 Illinois-eligible stallions. All fees collected are to be  
9 paid into the Illinois Thoroughbred Breeders Fund.

10           (2) Provide for the registration of Illinois conceived  
11 and foaled horses and Illinois foaled horses. No such horse  
12 shall compete in the races limited to Illinois conceived  
13 and foaled horses or Illinois foaled horses or both unless  
14 registered with the Department of Agriculture. The  
15 Department of Agriculture may prescribe such forms as are  
16 necessary to determine the eligibility of such horses. The  
17 Department of Agriculture may assess and collect  
18 application fees for the registration of Illinois-eligible  
19 foals. All fees collected are to be paid into the Illinois  
20 Thoroughbred Breeders Fund. No person shall knowingly  
21 prepare or cause preparation of an application for  
22 registration of such foals containing false information.

23           (m) The Department of Agriculture, with the advice and  
24 assistance of the Illinois Thoroughbred Breeders Fund Advisory  
25 Board, shall provide that certain races limited to Illinois  
26 conceived and foaled and Illinois foaled horses be stakes races

1 and determine the total amount of stakes and awards to be paid  
2 to the owners of the winning horses in such races.

3 In determining the stakes races and the amount of awards  
4 for such races, the Department of Agriculture shall consider  
5 factors, including but not limited to, the amount of money  
6 appropriated for the Illinois Thoroughbred Breeders Fund  
7 program, organization licensees' contributions, availability  
8 of stakes caliber horses as demonstrated by past performances,  
9 whether the race can be coordinated into the proposed racing  
10 dates within organization licensees' racing dates, opportunity  
11 for colts and fillies and various age groups to race, public  
12 wagering on such races, and the previous racing schedule.

13 (n) The Board and the organizational licensee shall notify  
14 the Department of the conditions and minimum purses for races  
15 limited to Illinois conceived and foaled and Illinois foaled  
16 horses conducted for each organizational licensee conducting a  
17 thoroughbred racing meeting. The Department of Agriculture  
18 with the advice and assistance of the Illinois Thoroughbred  
19 Breeders Fund Advisory Board may allocate monies for purse  
20 supplements for such races. In determining whether to allocate  
21 money and the amount, the Department of Agriculture shall  
22 consider factors, including but not limited to, the amount of  
23 money appropriated for the Illinois Thoroughbred Breeders Fund  
24 program, the number of races that may occur, and the  
25 organizational licensee's purse structure.

26 (o) (Blank). ~~In order to improve the breeding quality of~~

1 ~~thoroughbred horses in the State, the General Assembly~~  
2 ~~recognizes that existing provisions of this Section to~~  
3 ~~encourage such quality breeding need to be revised and~~  
4 ~~strengthened. As such, a Thoroughbred Breeder's Program Task~~  
5 ~~Force is to be appointed by the Governor by September 1, 1999~~  
6 ~~to make recommendations to the General Assembly by no later~~  
7 ~~than March 1, 2000. This task force is to be composed of 2~~  
8 ~~representatives from the Illinois Thoroughbred Breeders and~~  
9 ~~Owners Foundation, 2 from the Illinois Thoroughbred Horsemen's~~  
10 ~~Association, 3 from Illinois race tracks operating~~  
11 ~~thoroughbred race meets for an average of at least 30 days in~~  
12 ~~the past 3 years, the Director of Agriculture, the Executive~~  
13 ~~Director of the Racing Board, who shall serve as Chairman.~~

14 (Source: P.A. 91-40, eff. 6-25-99.)

15 Section 110. The Liquor Control Act of 1934 is amended by  
16 changing Section 6-15 as follows:

17 (235 ILCS 5/6-15) (from Ch. 43, par. 130)

18 Sec. 6-15. No alcoholic liquors shall be sold or delivered  
19 in any building belonging to or under the control of the State  
20 or any political subdivision thereof except as provided in this  
21 Act. The corporate authorities of any city, village,  
22 incorporated town, township, or county may provide by  
23 ordinance, however, that alcoholic liquor may be sold or  
24 delivered in any specifically designated building belonging to

1 or under the control of the municipality, township, or county,  
2 or in any building located on land under the control of the  
3 municipality, township, or county; provided that such township  
4 or county complies with all applicable local ordinances in any  
5 incorporated area of the township or county. Alcoholic liquor  
6 may be delivered to and sold under the authority of a special  
7 use permit on any property owned by a conservation district  
8 organized under the Conservation District Act, provided that  
9 (i) the alcoholic liquor is sold only at an event authorized by  
10 the governing board of the conservation district, (ii) the  
11 issuance of the special use permit is authorized by the local  
12 liquor control commissioner of the territory in which the  
13 property is located, and (iii) the special use permit  
14 authorizes the sale of alcoholic liquor for one day or less.  
15 Alcoholic liquors may be delivered to and sold at any airport  
16 belonging to or under the control of a municipality of more  
17 than 25,000 inhabitants, or in any building or on any golf  
18 course owned by a park district organized under the Park  
19 District Code, subject to the approval of the governing board  
20 of the district, or in any building or on any golf course owned  
21 by a forest preserve district organized under the Downstate  
22 Forest Preserve District Act, subject to the approval of the  
23 governing board of the district, or on the grounds within 500  
24 feet of any building owned by a forest preserve district  
25 organized under the Downstate Forest Preserve District Act  
26 during times when food is dispensed for consumption within 500

1 feet of the building from which the food is dispensed, subject  
2 to the approval of the governing board of the district, or in a  
3 building owned by a Local Mass Transit District organized under  
4 the Local Mass Transit District Act, subject to the approval of  
5 the governing Board of the District, or in Bicentennial Park,  
6 or on the premises of the City of Mendota Lake Park located  
7 adjacent to Route 51 in Mendota, Illinois, or on the premises  
8 of Camden Park in Milan, Illinois, or in the community center  
9 owned by the City of Loves Park that is located at 1000 River  
10 Park Drive in Loves Park, Illinois, or, in connection with the  
11 operation of an established food serving facility during times  
12 when food is dispensed for consumption on the premises, and at  
13 the following aquarium and museums located in public parks: Art  
14 Institute of Chicago, Chicago Academy of Sciences, Chicago  
15 Historical Society, Field Museum of Natural History, Museum of  
16 Science and Industry, DuSable Museum of African American  
17 History, John G. Shedd Aquarium and Adler Planetarium, or at  
18 Lakeview Museum of Arts and Sciences in Peoria, or in  
19 connection with the operation of the facilities of the Chicago  
20 Zoological Society or the Chicago Horticultural Society on land  
21 owned by the Forest Preserve District of Cook County, or on any  
22 land used for a golf course or for recreational purposes owned  
23 by the Forest Preserve District of Cook County, subject to the  
24 control of the Forest Preserve District Board of Commissioners  
25 and applicable local law, provided that dram shop liability  
26 insurance is provided at maximum coverage limits so as to hold

1 the District harmless from all financial loss, damage, and  
2 harm, or in any building located on land owned by the Chicago  
3 Park District if approved by the Park District Commissioners,  
4 or on any land used for a golf course or for recreational  
5 purposes and owned by the Illinois International Port District  
6 if approved by the District's governing board, or at any  
7 airport, golf course, faculty center, or facility in which  
8 conference and convention type activities take place belonging  
9 to or under control of any State university or public community  
10 college district, provided that with respect to a facility for  
11 conference and convention type activities alcoholic liquors  
12 shall be limited to the use of the convention or conference  
13 participants or participants in cultural, political or  
14 educational activities held in such facilities, and provided  
15 further that the faculty or staff of the State university or a  
16 public community college district, or members of an  
17 organization of students, alumni, faculty or staff of the State  
18 university or a public community college district are active  
19 participants in the conference or convention, or in Memorial  
20 Stadium on the campus of the University of Illinois at  
21 Urbana-Champaign during games in which the Chicago Bears  
22 professional football team is playing in that stadium during  
23 the renovation of Soldier Field, not more than one and a half  
24 hours before the start of the game and not after the end of the  
25 third quarter of the game, or in the Pavilion Facility on the  
26 campus of the University of Illinois at Chicago during games in

1 which the Chicago Storm professional soccer team is playing in  
2 that facility, not more than one and a half hours before the  
3 start of the game and not after the end of the third quarter of  
4 the game, or in the Pavilion Facility on the campus of the  
5 University of Illinois at Chicago during games in which the  
6 WNBA professional women's basketball team is playing in that  
7 facility, not more than one and a half hours before the start  
8 of the game and not after the 10-minute mark of the second half  
9 of the game, or by a catering establishment which has rented  
10 facilities from a board of trustees of a public community  
11 college district, or in a restaurant that is operated by a  
12 commercial tenant in the North Campus Parking Deck building  
13 that (1) is located at 1201 West University Avenue, Urbana,  
14 Illinois and (2) is owned by the Board of Trustees of the  
15 University of Illinois, or, if approved by the District board,  
16 on land owned by the Metropolitan Sanitary District of Greater  
17 Chicago and leased to others for a term of at least 20 years.  
18 Nothing in this Section precludes the sale or delivery of  
19 alcoholic liquor in the form of original packaged goods in  
20 premises located at 500 S. Racine in Chicago belonging to the  
21 University of Illinois and used primarily as a grocery store by  
22 a commercial tenant during the term of a lease that predates  
23 the University's acquisition of the premises; but the  
24 University shall have no power or authority to renew, transfer,  
25 or extend the lease with terms allowing the sale of alcoholic  
26 liquor; and the sale of alcoholic liquor shall be subject to

1 all local laws and regulations. After the acquisition by  
2 Winnebago County of the property located at 404 Elm Street in  
3 Rockford, a commercial tenant who sold alcoholic liquor at  
4 retail on a portion of the property under a valid license at  
5 the time of the acquisition may continue to do so for so long  
6 as the tenant and the County may agree under existing or future  
7 leases, subject to all local laws and regulations regarding the  
8 sale of alcoholic liquor. Alcoholic liquors may be delivered to  
9 and sold at Memorial Hall, located at 211 North Main Street,  
10 Rockford, under conditions approved by Winnebago County and  
11 subject to all local laws and regulations regarding the sale of  
12 alcoholic liquor. Each facility shall provide dram shop  
13 liability in maximum insurance coverage limits so as to save  
14 harmless the State, municipality, State university, airport,  
15 golf course, faculty center, facility in which conference and  
16 convention type activities take place, park district, Forest  
17 Preserve District, public community college district,  
18 aquarium, museum, or sanitary district from all financial loss,  
19 damage or harm. Alcoholic liquors may be sold at retail in  
20 buildings of golf courses owned by municipalities or Illinois  
21 State University in connection with the operation of an  
22 established food serving facility during times when food is  
23 dispensed for consumption upon the premises. Alcoholic liquors  
24 may be delivered to and sold at retail in any building owned by  
25 a fire protection district organized under the Fire Protection  
26 District Act, provided that such delivery and sale is approved

1 by the board of trustees of the district, and provided further  
2 that such delivery and sale is limited to fundraising events  
3 and to a maximum of 6 events per year. However, the limitation  
4 to fundraising events and to a maximum of 6 events per year  
5 does not apply to the delivery, sale, or manufacture of  
6 alcoholic liquors at the building located at 59 Main Street in  
7 Oswego, Illinois, owned by the Oswego Fire Protection District  
8 if the alcoholic liquor is sold or dispensed as approved by the  
9 Oswego Fire Protection District and the property is no longer  
10 being utilized for fire protection purposes.

11 Alcoholic liquors may be served or sold in buildings under  
12 the control of the Board of Trustees of the University of  
13 Illinois for events that the Board may determine are public  
14 events and not related student activities. The Board of  
15 Trustees shall issue a written policy within 6 months of the  
16 effective date of this amendatory Act of the 95th General  
17 Assembly concerning the types of events that would be eligible  
18 for an exemption. Thereafter, the Board of Trustees may issue  
19 revised, updated, new, or amended policies as it deems  
20 necessary and appropriate. In preparing its written policy, the  
21 Board of Trustees shall, among other factors it considers  
22 relevant and important, give consideration to the following:  
23 (i) whether the event is a student activity or student related  
24 activity; (ii) whether the physical setting of the event is  
25 conducive to control of liquor sales and distribution; (iii)  
26 the ability of the event operator to ensure that the sale or

1 serving of alcoholic liquors and the demeanor of the  
2 participants are in accordance with State law and University  
3 policies; (iv) regarding the anticipated attendees at the  
4 event, the relative proportion of individuals under the age of  
5 21 to individuals age 21 or older; (v) the ability of the venue  
6 operator to prevent the sale or distribution of alcoholic  
7 liquors to individuals under the age of 21; (vi) whether the  
8 event prohibits participants from removing alcoholic beverages  
9 from the venue; and (vii) whether the event prohibits  
10 participants from providing their own alcoholic liquors to the  
11 venue. In addition, any policy submitted by the Board of  
12 Trustees to the Illinois Liquor Control Commission must require  
13 that any event at which alcoholic liquors are served or sold in  
14 buildings under the control of the Board of Trustees shall  
15 require the prior written approval of the Office of the  
16 Chancellor for the University campus where the event is  
17 located. The Board of Trustees shall submit its policy, and any  
18 subsequently revised, updated, new, or amended policies, to the  
19 Illinois Liquor Control Commission, and any University event,  
20 or location for an event, exempted under such policies shall  
21 apply for a license under the applicable Sections of this Act.

22 Alcoholic liquors may be served or sold in buildings under  
23 the control of the Board of Trustees of Northern Illinois  
24 University for events that the Board may determine are public  
25 events and not student-related activities. The Board of  
26 Trustees shall issue a written policy within 6 months after

1 June 28, 2011 (the effective date of Public Act 97-45)  
2 concerning the types of events that would be eligible for an  
3 exemption. Thereafter, the Board of Trustees may issue revised,  
4 updated, new, or amended policies as it deems necessary and  
5 appropriate. In preparing its written policy, the Board of  
6 Trustees shall, in addition to other factors it considers  
7 relevant and important, give consideration to the following:  
8 (i) whether the event is a student activity or student-related  
9 activity; (ii) whether the physical setting of the event is  
10 conducive to control of liquor sales and distribution; (iii)  
11 the ability of the event operator to ensure that the sale or  
12 serving of alcoholic liquors and the demeanor of the  
13 participants are in accordance with State law and University  
14 policies; (iv) the anticipated attendees at the event and the  
15 relative proportion of individuals under the age of 21 to  
16 individuals age 21 or older; (v) the ability of the venue  
17 operator to prevent the sale or distribution of alcoholic  
18 liquors to individuals under the age of 21; (vi) whether the  
19 event prohibits participants from removing alcoholic beverages  
20 from the venue; and (vii) whether the event prohibits  
21 participants from providing their own alcoholic liquors to the  
22 venue.

23 Alcoholic liquors may be served or sold in buildings under  
24 the control of the Board of Trustees of Chicago State  
25 University for events that the Board may determine are public  
26 events and not student-related activities. The Board of

1 Trustees shall issue a written policy within 6 months after  
2 August 2, 2013 (the effective date of Public Act 98-132) ~~this~~  
3 ~~amendatory Act of the 98th General Assembly~~ concerning the  
4 types of events that would be eligible for an exemption.  
5 Thereafter, the Board of Trustees may issue revised, updated,  
6 new, or amended policies as it deems necessary and appropriate.  
7 In preparing its written policy, the Board of Trustees shall,  
8 in addition to other factors it considers relevant and  
9 important, give consideration to the following: (i) whether the  
10 event is a student activity or student-related activity; (ii)  
11 whether the physical setting of the event is conducive to  
12 control of liquor sales and distribution; (iii) the ability of  
13 the event operator to ensure that the sale or serving of  
14 alcoholic liquors and the demeanor of the participants are in  
15 accordance with State law and University policies; (iv) the  
16 anticipated attendees at the event and the relative proportion  
17 of individuals under the age of 21 to individuals age 21 or  
18 older; (v) the ability of the venue operator to prevent the  
19 sale or distribution of alcoholic liquors to individuals under  
20 the age of 21; (vi) whether the event prohibits participants  
21 from removing alcoholic beverages from the venue; and (vii)  
22 whether the event prohibits participants from providing their  
23 own alcoholic liquors to the venue.

24 Alcoholic liquors may be served or sold in buildings under  
25 the control of the Board of Trustees of Illinois State  
26 University for events that the Board may determine are public

1 events and not student-related activities. The Board of  
2 Trustees shall issue a written policy within 6 months after the  
3 effective date of this amendatory Act of the 97th General  
4 Assembly concerning the types of events that would be eligible  
5 for an exemption. Thereafter, the Board of Trustees may issue  
6 revised, updated, new, or amended policies as it deems  
7 necessary and appropriate. In preparing its written policy, the  
8 Board of Trustees shall, in addition to other factors it  
9 considers relevant and important, give consideration to the  
10 following: (i) whether the event is a student activity or  
11 student-related activity; (ii) whether the physical setting of  
12 the event is conducive to control of liquor sales and  
13 distribution; (iii) the ability of the event operator to ensure  
14 that the sale or serving of alcoholic liquors and the demeanor  
15 of the participants are in accordance with State law and  
16 University policies; (iv) the anticipated attendees at the  
17 event and the relative proportion of individuals under the age  
18 of 21 to individuals age 21 or older; (v) the ability of the  
19 venue operator to prevent the sale or distribution of alcoholic  
20 liquors to individuals under the age of 21; (vi) whether the  
21 event prohibits participants from removing alcoholic beverages  
22 from the venue; and (vii) whether the event prohibits  
23 participants from providing their own alcoholic liquors to the  
24 venue.

25 Alcoholic liquor may be delivered to and sold at retail in  
26 the Dorchester Senior Business Center owned by the Village of

1 Dolton if the alcoholic liquor is sold or dispensed only in  
2 connection with organized functions for which the planned  
3 attendance is 20 or more persons, and if the person or facility  
4 selling or dispensing the alcoholic liquor has provided dram  
5 shop liability insurance in maximum limits so as to hold  
6 harmless the Village of Dolton and the State from all financial  
7 loss, damage and harm.

8 Alcoholic liquors may be delivered to and sold at retail in  
9 any building used as an Illinois State Armory provided:

10 (i) the Adjutant General's written consent to the  
11 issuance of a license to sell alcoholic liquor in such  
12 building is filed with the Commission;

13 (ii) the alcoholic liquor is sold or dispensed only in  
14 connection with organized functions held on special  
15 occasions;

16 (iii) the organized function is one for which the  
17 planned attendance is 25 or more persons; and

18 (iv) the facility selling or dispensing the alcoholic  
19 liquors has provided dram shop liability insurance in  
20 maximum limits so as to save harmless the facility and the  
21 State from all financial loss, damage or harm.

22 Alcoholic liquors may be delivered to and sold at retail in  
23 the Chicago Civic Center, provided that:

24 (i) the written consent of the Public Building  
25 Commission which administers the Chicago Civic Center is  
26 filed with the Commission;

1           (ii) the alcoholic liquor is sold or dispensed only in  
2 connection with organized functions held on special  
3 occasions;

4           (iii) the organized function is one for which the  
5 planned attendance is 25 or more persons;

6           (iv) the facility selling or dispensing the alcoholic  
7 liquors has provided dram shop liability insurance in  
8 maximum limits so as to hold harmless the Civic Center, the  
9 City of Chicago and the State from all financial loss,  
10 damage or harm; and

11           (v) all applicable local ordinances are complied with.

12           Alcoholic liquors may be delivered or sold in any building  
13 belonging to or under the control of any city, village or  
14 incorporated town where more than 75% of the physical  
15 properties of the building is used for commercial or  
16 recreational purposes, and the building is located upon a pier  
17 extending into or over the waters of a navigable lake or stream  
18 or on the shore of a navigable lake or stream. In accordance  
19 with a license issued under this Act, alcoholic liquor may be  
20 sold, served, or delivered in buildings and facilities under  
21 the control of the Department of Natural Resources during  
22 events or activities lasting no more than 7 continuous days  
23 upon the written approval of the Director of Natural Resources  
24 acting as the controlling government authority. The Director of  
25 Natural Resources may specify conditions on that approval,  
26 including but not limited to requirements for insurance and

1 hours of operation. Notwithstanding any other provision of this  
2 Act, alcoholic liquor sold by a United States Army Corps of  
3 Engineers or Department of Natural Resources concessionaire  
4 who was operating on June 1, 1991 for on-premises consumption  
5 only is not subject to the provisions of Articles IV and IX.  
6 Beer and wine may be sold on the premises of the Joliet Park  
7 District Stadium owned by the Joliet Park District when written  
8 consent to the issuance of a license to sell beer and wine in  
9 such premises is filed with the local liquor commissioner by  
10 the Joliet Park District. Beer and wine may be sold in  
11 buildings on the grounds of State veterans' homes when written  
12 consent to the issuance of a license to sell beer and wine in  
13 such buildings is filed with the Commission by the Department  
14 of Veterans' Affairs, and the facility shall provide dram shop  
15 liability in maximum insurance coverage limits so as to save  
16 the facility harmless from all financial loss, damage or harm.  
17 Such liquors may be delivered to and sold at any property owned  
18 or held under lease by a Metropolitan Pier and Exposition  
19 Authority or Metropolitan Exposition and Auditorium Authority.

20 Beer and wine may be sold and dispensed at professional  
21 sporting events and at professional concerts and other  
22 entertainment events conducted on premises owned by the Forest  
23 Preserve District of Kane County, subject to the control of the  
24 District Commissioners and applicable local law, provided that  
25 dram shop liability insurance is provided at maximum coverage  
26 limits so as to hold the District harmless from all financial

1 loss, damage and harm.

2 Nothing in this Section shall preclude the sale or delivery  
3 of beer and wine at a State or county fair or the sale or  
4 delivery of beer or wine at a city fair in any otherwise lawful  
5 manner.

6 Alcoholic liquors may be sold at retail in buildings in  
7 State parks under the control of the Department of Natural  
8 Resources, provided:

9 a. the State park has overnight lodging facilities with  
10 some restaurant facilities or, not having overnight  
11 lodging facilities, has restaurant facilities which serve  
12 complete luncheon and dinner or supper meals,

13 b. (blank), and ~~consent to the issuance of a license to~~  
14 ~~sell alcoholic liquors in the buildings has been filed with~~  
15 ~~the commission by the Department of Natural Resources, and~~

16 c. the alcoholic liquors are sold by the State park  
17 lodge or restaurant concessionaire only during the hours  
18 from 11 o'clock a.m. until 12 o'clock midnight.  
19 Notwithstanding any other provision of this Act, alcoholic  
20 liquor sold by the State park or restaurant concessionaire  
21 is not subject to the provisions of Articles IV and IX.

22 Alcoholic liquors may be sold at retail in buildings on  
23 properties under the control of the Historic Sites and  
24 Preservation Division of the Historic Preservation Agency or  
25 the Abraham Lincoln Presidential Library and Museum provided:

26 a. the property has overnight lodging facilities with

1       some restaurant facilities or, not having overnight  
2       lodging facilities, has restaurant facilities which serve  
3       complete luncheon and dinner or supper meals,

4           b. consent to the issuance of a license to sell  
5       alcoholic liquors in the buildings has been filed with the  
6       commission by the Historic Sites and Preservation Division  
7       of the Historic Preservation Agency or the Abraham Lincoln  
8       Presidential Library and Museum, and

9           c. the alcoholic liquors are sold by the lodge or  
10       restaurant concessionaire only during the hours from 11  
11       o'clock a.m. until 12 o'clock midnight.

12       The sale of alcoholic liquors pursuant to this Section does  
13       not authorize the establishment and operation of facilities  
14       commonly called taverns, saloons, bars, cocktail lounges, and  
15       the like except as a part of lodge and restaurant facilities in  
16       State parks or golf courses owned by Forest Preserve Districts  
17       with a population of less than 3,000,000 or municipalities or  
18       park districts.

19       Alcoholic liquors may be sold at retail in the Springfield  
20       Administration Building of the Department of Transportation  
21       and the Illinois State Armory in Springfield; provided, that  
22       the controlling government authority may consent to such sales  
23       only if

24           a. the request is from a not-for-profit organization;

25           b. such sales would not impede normal operations of the  
26       departments involved;

1           c. the not-for-profit organization provides dram shop  
2 liability in maximum insurance coverage limits and agrees  
3 to defend, save harmless and indemnify the State of  
4 Illinois from all financial loss, damage or harm;

5           d. no such sale shall be made during normal working  
6 hours of the State of Illinois; and

7           e. the consent is in writing.

8           Alcoholic liquors may be sold at retail in buildings in  
9 recreational areas of river conservancy districts under the  
10 control of, or leased from, the river conservancy districts.  
11 Such sales are subject to reasonable local regulations as  
12 provided in Article IV; however, no such regulations may  
13 prohibit or substantially impair the sale of alcoholic liquors  
14 on Sundays or Holidays.

15           Alcoholic liquors may be provided in long term care  
16 facilities owned or operated by a county under Division 5-21 or  
17 5-22 of the Counties Code, when approved by the facility  
18 operator and not in conflict with the regulations of the  
19 Illinois Department of Public Health, to residents of the  
20 facility who have had their consumption of the alcoholic  
21 liquors provided approved in writing by a physician licensed to  
22 practice medicine in all its branches.

23           Alcoholic liquors may be delivered to and dispensed in  
24 State housing assigned to employees of the Department of  
25 Corrections. No person shall furnish or allow to be furnished  
26 any alcoholic liquors to any prisoner confined in any jail,

1 reformatory, prison or house of correction except upon a  
2 physician's prescription for medicinal purposes.

3 Alcoholic liquors may be sold at retail or dispensed at the  
4 Willard Ice Building in Springfield, at the State Library in  
5 Springfield, and at Illinois State Museum facilities by (1) an  
6 agency of the State, whether legislative, judicial or  
7 executive, provided that such agency first obtains written  
8 permission to sell or dispense alcoholic liquors from the  
9 controlling government authority, or by (2) a not-for-profit  
10 organization, provided that such organization:

11 a. Obtains written consent from the controlling  
12 government authority;

13 b. Sells or dispenses the alcoholic liquors in a manner  
14 that does not impair normal operations of State offices  
15 located in the building;

16 c. Sells or dispenses alcoholic liquors only in  
17 connection with an official activity in the building;

18 d. Provides, or its catering service provides, dram  
19 shop liability insurance in maximum coverage limits and in  
20 which the carrier agrees to defend, save harmless and  
21 indemnify the State of Illinois from all financial loss,  
22 damage or harm arising out of the selling or dispensing of  
23 alcoholic liquors.

24 Nothing in this Act shall prevent a not-for-profit  
25 organization or agency of the State from employing the services  
26 of a catering establishment for the selling or dispensing of

1 alcoholic liquors at authorized functions.

2 The controlling government authority for the Willard Ice  
3 Building in Springfield shall be the Director of the Department  
4 of Revenue. The controlling government authority for Illinois  
5 State Museum facilities shall be the Director of the Illinois  
6 State Museum. The controlling government authority for the  
7 State Library in Springfield shall be the Secretary of State.

8 Alcoholic liquors may be delivered to and sold at retail or  
9 dispensed at any facility, property or building under the  
10 jurisdiction of the Historic Sites and Preservation Division of  
11 the Historic Preservation Agency or the Abraham Lincoln  
12 Presidential Library and Museum where the delivery, sale or  
13 dispensing is by (1) an agency of the State, whether  
14 legislative, judicial or executive, provided that such agency  
15 first obtains written permission to sell or dispense alcoholic  
16 liquors from a controlling government authority, or by (2) an  
17 individual or organization provided that such individual or  
18 organization:

19 a. Obtains written consent from the controlling  
20 government authority;

21 b. Sells or dispenses the alcoholic liquors in a manner  
22 that does not impair normal workings of State offices or  
23 operations located at the facility, property or building;

24 c. Sells or dispenses alcoholic liquors only in  
25 connection with an official activity of the individual or  
26 organization in the facility, property or building;

1           d. Provides, or its catering service provides, dram  
2           shop liability insurance in maximum coverage limits and in  
3           which the carrier agrees to defend, save harmless and  
4           indemnify the State of Illinois from all financial loss,  
5           damage or harm arising out of the selling or dispensing of  
6           alcoholic liquors.

7           The controlling government authority for the Historic  
8           Sites and Preservation Division of the Historic Preservation  
9           Agency shall be the Director of the Historic Sites and  
10          Preservation, and the controlling government authority for the  
11          Abraham Lincoln Presidential Library and Museum shall be the  
12          Director of the Abraham Lincoln Presidential Library and  
13          Museum.

14          Alcoholic liquors may be delivered to and sold at retail or  
15          dispensed for consumption at the Michael Bilandic Building at  
16          160 North LaSalle Street, Chicago IL 60601, after the normal  
17          business hours of any day care or child care facility located  
18          in the building, by (1) a commercial tenant or subtenant  
19          conducting business on the premises under a lease made pursuant  
20          to Section 405-315 of the Department of Central Management  
21          Services Law (20 ILCS 405/405-315), provided that such tenant  
22          or subtenant who accepts delivery of, sells, or dispenses  
23          alcoholic liquors shall procure and maintain dram shop  
24          liability insurance in maximum coverage limits and in which the  
25          carrier agrees to defend, indemnify, and save harmless the  
26          State of Illinois from all financial loss, damage, or harm

1 arising out of the delivery, sale, or dispensing of alcoholic  
2 liquors, or by (2) an agency of the State, whether legislative,  
3 judicial, or executive, provided that such agency first obtains  
4 written permission to accept delivery of and sell or dispense  
5 alcoholic liquors from the Director of Central Management  
6 Services, or by (3) a not-for-profit organization, provided  
7 that such organization:

8 a. obtains written consent from the Department of  
9 Central Management Services;

10 b. accepts delivery of and sells or dispenses the  
11 alcoholic liquors in a manner that does not impair normal  
12 operations of State offices located in the building;

13 c. accepts delivery of and sells or dispenses alcoholic  
14 liquors only in connection with an official activity in the  
15 building; and

16 d. provides, or its catering service provides, dram  
17 shop liability insurance in maximum coverage limits and in  
18 which the carrier agrees to defend, save harmless, and  
19 indemnify the State of Illinois from all financial loss,  
20 damage, or harm arising out of the selling or dispensing of  
21 alcoholic liquors.

22 Nothing in this Act shall prevent a not-for-profit  
23 organization or agency of the State from employing the services  
24 of a catering establishment for the selling or dispensing of  
25 alcoholic liquors at functions authorized by the Director of  
26 Central Management Services.

1           Alcoholic liquors may be sold at retail or dispensed at the  
2 James R. Thompson Center in Chicago, subject to the provisions  
3 of Section 7.4 of the State Property Control Act, and 222 South  
4 College Street in Springfield, Illinois by (1) a commercial  
5 tenant or subtenant conducting business on the premises under a  
6 lease or sublease made pursuant to Section 405-315 of the  
7 Department of Central Management Services Law (20 ILCS  
8 405/405-315), provided that such tenant or subtenant who sells  
9 or dispenses alcoholic liquors shall procure and maintain dram  
10 shop liability insurance in maximum coverage limits and in  
11 which the carrier agrees to defend, indemnify and save harmless  
12 the State of Illinois from all financial loss, damage or harm  
13 arising out of the sale or dispensing of alcoholic liquors, or  
14 by (2) an agency of the State, whether legislative, judicial or  
15 executive, provided that such agency first obtains written  
16 permission to sell or dispense alcoholic liquors from the  
17 Director of Central Management Services, or by (3) a  
18 not-for-profit organization, provided that such organization:

19           a. Obtains written consent from the Department of  
20 Central Management Services;

21           b. Sells or dispenses the alcoholic liquors in a manner  
22 that does not impair normal operations of State offices  
23 located in the building;

24           c. Sells or dispenses alcoholic liquors only in  
25 connection with an official activity in the building;

26           d. Provides, or its catering service provides, dram

1 shop liability insurance in maximum coverage limits and in  
2 which the carrier agrees to defend, save harmless and  
3 indemnify the State of Illinois from all financial loss,  
4 damage or harm arising out of the selling or dispensing of  
5 alcoholic liquors.

6 Nothing in this Act shall prevent a not-for-profit  
7 organization or agency of the State from employing the services  
8 of a catering establishment for the selling or dispensing of  
9 alcoholic liquors at functions authorized by the Director of  
10 Central Management Services.

11 Alcoholic liquors may be sold or delivered at any facility  
12 owned by the Illinois Sports Facilities Authority provided that  
13 dram shop liability insurance has been made available in a  
14 form, with such coverage and in such amounts as the Authority  
15 reasonably determines is necessary.

16 Alcoholic liquors may be sold at retail or dispensed at the  
17 Rockford State Office Building by (1) an agency of the State,  
18 whether legislative, judicial or executive, provided that such  
19 agency first obtains written permission to sell or dispense  
20 alcoholic liquors from the Department of Central Management  
21 Services, or by (2) a not-for-profit organization, provided  
22 that such organization:

23 a. Obtains written consent from the Department of  
24 Central Management Services;

25 b. Sells or dispenses the alcoholic liquors in a manner  
26 that does not impair normal operations of State offices

1 located in the building;

2 c. Sells or dispenses alcoholic liquors only in  
3 connection with an official activity in the building;

4 d. Provides, or its catering service provides, dram  
5 shop liability insurance in maximum coverage limits and in  
6 which the carrier agrees to defend, save harmless and  
7 indemnify the State of Illinois from all financial loss,  
8 damage or harm arising out of the selling or dispensing of  
9 alcoholic liquors.

10 Nothing in this Act shall prevent a not-for-profit  
11 organization or agency of the State from employing the services  
12 of a catering establishment for the selling or dispensing of  
13 alcoholic liquors at functions authorized by the Department of  
14 Central Management Services.

15 Alcoholic liquors may be sold or delivered in a building  
16 that is owned by McLean County, situated on land owned by the  
17 county in the City of Bloomington, and used by the McLean  
18 County Historical Society if the sale or delivery is approved  
19 by an ordinance adopted by the county board, and the  
20 municipality in which the building is located may not prohibit  
21 that sale or delivery, notwithstanding any other provision of  
22 this Section. The regulation of the sale and delivery of  
23 alcoholic liquor in a building that is owned by McLean County,  
24 situated on land owned by the county, and used by the McLean  
25 County Historical Society as provided in this paragraph is an  
26 exclusive power and function of the State and is a denial and

1 limitation under Article VII, Section 6, subsection (h) of the  
2 Illinois Constitution of the power of a home rule municipality  
3 to regulate that sale and delivery.

4 Alcoholic liquors may be sold or delivered in any building  
5 situated on land held in trust for any school district  
6 organized under Article 34 of the School Code, if the building  
7 is not used for school purposes and if the sale or delivery is  
8 approved by the board of education.

9 Alcoholic liquors may be sold or delivered in buildings  
10 owned by the Community Building Complex Committee of Boone  
11 County, Illinois if the person or facility selling or  
12 dispensing the alcoholic liquor has provided dram shop  
13 liability insurance with coverage and in amounts that the  
14 Committee reasonably determines are necessary.

15 Alcoholic liquors may be sold or delivered in the building  
16 located at 1200 Centerville Avenue in Belleville, Illinois and  
17 occupied by either the Belleville Area Special Education  
18 District or the Belleville Area Special Services Cooperative.

19 Alcoholic liquors may be delivered to and sold at the Louis  
20 Joliet Renaissance Center, City Center Campus, located at 214  
21 N. Ottawa Street, Joliet, and the Food Services/Culinary Arts  
22 Department facilities, Main Campus, located at 1215 Houbolt  
23 Road, Joliet, owned by or under the control of Joliet Junior  
24 College, Illinois Community College District No. 525.

25 Alcoholic liquors may be delivered to and sold at Triton  
26 College, Illinois Community College District No. 504.

1           Alcoholic liquors may be delivered to and sold at the  
2 College of DuPage, Illinois Community College District No. 502.

3           Alcoholic liquors may be delivered to and sold at the  
4 building located at 446 East Hickory Avenue in Apple River,  
5 Illinois, owned by the Apple River Fire Protection District,  
6 and occupied by the Apple River Community Association if the  
7 alcoholic liquor is sold or dispensed only in connection with  
8 organized functions approved by the Apple River Community  
9 Association for which the planned attendance is 20 or more  
10 persons and if the person or facility selling or dispensing the  
11 alcoholic liquor has provided dram shop liability insurance in  
12 maximum limits so as to hold harmless the Apple River Fire  
13 Protection District, the Village of Apple River, and the Apple  
14 River Community Association from all financial loss, damage,  
15 and harm.

16           Alcoholic liquors may be delivered to and sold at the Sikia  
17 Restaurant, Kennedy King College Campus, located at 740 West  
18 63rd Street, Chicago, and at the Food Services in the Great  
19 Hall/Washburne Culinary Institute Department facility, Kennedy  
20 King College Campus, located at 740 West 63rd Street, Chicago,  
21 owned by or under the control of City Colleges of Chicago,  
22 Illinois Community College District No. 508.

23           (Source: P.A. 97-33, eff. 6-28-11; 97-45, eff. 6-28-11; 97-51,  
24 eff. 6-28-11; 97-167, eff. 7-22-11; 97-250, eff. 8-4-11;  
25 97-395, eff. 8-16-11; 97-813, eff. 7-13-12; 97-1166, eff.  
26 3-1-13; 98-132, eff. 8-2-13; 98-201, eff. 8-9-13; revised

1 9-24-13.)

2 (320 ILCS 65/20 rep.)

3 Section 115. The Family Caregiver Act is amended by  
4 repealing Section 20.

5 (410 ILCS 3/10 rep.)

6 Section 120. The Atherosclerosis Prevention Act is amended  
7 by repealing Section 10.

8 (410 ILCS 425/Act rep.)

9 Section 125. The High Blood Pressure Control Act is  
10 repealed.

11 Section 130. The Environmental Protection Act is amended by  
12 changing Section 22.8 as follows:

13 (415 ILCS 5/22.8) (from Ch. 111 1/2, par. 1022.8)

14 Sec. 22.8. Environmental Protection Permit and Inspection  
15 Fund.

16 (a) There is hereby created in the State Treasury a special  
17 fund to be known as the Environmental Protection Permit and  
18 Inspection Fund. All fees collected by the Agency pursuant to  
19 this Section, Section 9.6, 12.2, 16.1, ~~22.2 (j) (6) (E) (v) (IV)~~,  
20 56.4, 56.5, 56.6, and subsection (f) of Section 5 of this Act,  
21 or pursuant to Section 22 of the Public Water Supply Operations

1 Act or Section 1011 of the Solid Waste Site Operator  
2 Certification Law, as well as ~~and~~ funds collected under  
3 subsection (b.5) of Section 42 of this Act, shall be deposited  
4 into the Fund. In addition to any monies appropriated from the  
5 General Revenue Fund, monies in the Fund shall be appropriated  
6 by the General Assembly to the Agency in amounts deemed  
7 necessary for manifest, permit, and inspection activities and  
8 for performing its functions, powers, and duties under the  
9 Solid Waste Site Operator Certification Law ~~processing~~  
10 ~~requests under Section 22.2 (j) (6) (E) (v) (IV).~~

11 The General Assembly may appropriate monies in the Fund  
12 deemed necessary for Board regulatory and adjudicatory  
13 proceedings.

14 (a-5) As soon as practicable after the effective date of  
15 this amendatory Act of the 98th General Assembly, but no later  
16 than January 1, 2014, the State Comptroller shall direct and  
17 the State Treasurer shall transfer all monies in the Industrial  
18 Hygiene Regulatory and Enforcement Fund to the Environmental  
19 Protection Permit and Inspection Fund to be used in accordance  
20 with the terms of the Environmental Protection Permit and  
21 Inspection Fund.

22 (a-6) As soon as practicable after the effective date of  
23 this amendatory Act of the 98th General Assembly, but no later  
24 than December 31, 2014, the State Comptroller shall order the  
25 transfer of, and the State Treasurer shall transfer, all moneys  
26 in the Hazardous Waste Occupational Licensing Fund into the

1 Environmental Protection Permit and Inspection Fund to be used  
2 in accordance with the terms of the Environmental Protection  
3 Permit and Inspection Fund.

4 (b) The Agency shall collect from the owner or operator of  
5 any of the following types of hazardous waste disposal sites or  
6 management facilities which require a RCRA permit under  
7 subsection (f) of Section 21 of this Act, or a UIC permit under  
8 subsection (g) of Section 12 of this Act, an annual fee in the  
9 amount of:

10 (1) \$35,000 (\$70,000 beginning in 2004) for a hazardous  
11 waste disposal site receiving hazardous waste if the  
12 hazardous waste disposal site is located off the site where  
13 such waste was produced;

14 (2) \$9,000 (\$18,000 beginning in 2004) for a hazardous  
15 waste disposal site receiving hazardous waste if the  
16 hazardous waste disposal site is located on the site where  
17 such waste was produced;

18 (3) \$7,000 (\$14,000 beginning in 2004) for a hazardous  
19 waste disposal site receiving hazardous waste if the  
20 hazardous waste disposal site is an underground injection  
21 well;

22 (4) \$2,000 (\$4,000 beginning in 2004) for a hazardous  
23 waste management facility treating hazardous waste by  
24 incineration;

25 (5) \$1,000 (\$2,000 beginning in 2004) for a hazardous  
26 waste management facility treating hazardous waste by a

1 method, technique or process other than incineration;

2 (6) \$1,000 (\$2,000 beginning in 2004) for a hazardous  
3 waste management facility storing hazardous waste in a  
4 surface impoundment or pile;

5 (7) \$250 (\$500 beginning in 2004) for a hazardous waste  
6 management facility storing hazardous waste other than in a  
7 surface impoundment or pile; and

8 (8) Beginning in 2004, \$500 for a large quantity  
9 hazardous waste generator required to submit an annual or  
10 biennial report for hazardous waste generation.

11 (c) Where two or more operational units are located within  
12 a single hazardous waste disposal site, the Agency shall  
13 collect from the owner or operator of such site an annual fee  
14 equal to the highest fee imposed by subsection (b) of this  
15 Section upon any single operational unit within the site.

16 (d) The fee imposed upon a hazardous waste disposal site  
17 under this Section shall be the exclusive permit and inspection  
18 fee applicable to hazardous waste disposal at such site,  
19 provided that nothing in this Section shall be construed to  
20 diminish or otherwise affect any fee imposed upon the owner or  
21 operator of a hazardous waste disposal site by Section 22.2.

22 (e) The Agency shall establish procedures, no later than  
23 December 1, 1984, relating to the collection of the hazardous  
24 waste disposal site fees authorized by this Section. Such  
25 procedures shall include, but not be limited to the time and  
26 manner of payment of fees to the Agency, which shall be

1 quarterly, payable at the beginning of each quarter for  
2 hazardous waste disposal site fees. Annual fees required under  
3 paragraph (7) of subsection (b) of this Section shall accompany  
4 the annual report required by Board regulations for the  
5 calendar year for which the report applies.

6 (f) For purposes of this Section, a hazardous waste  
7 disposal site consists of one or more of the following  
8 operational units:

9 (1) a landfill receiving hazardous waste for disposal;

10 (2) a waste pile or surface impoundment, receiving  
11 hazardous waste, in which residues which exhibit any of the  
12 characteristics of hazardous waste pursuant to Board  
13 regulations are reasonably expected to remain after  
14 closure;

15 (3) a land treatment facility receiving hazardous  
16 waste; or

17 (4) a well injecting hazardous waste.

18 (g) The Agency shall assess a fee for each manifest  
19 provided by the Agency. For manifests provided on or after  
20 January 1, 1989 but before July 1, 2003, the fee shall be \$1  
21 per manifest. For manifests provided on or after July 1, 2003,  
22 the fee shall be \$3 per manifest.

23 (Source: P.A. 98-78, eff. 7-15-13.)

24 Section 135. The Illinois Pesticide Act is amended by  
25 changing Sections 19.3 and 22.2 as follows:

1 (415 ILCS 60/19.3)

2 Sec. 19.3. Agrichemical Facility Response Action Program.

3 (a) It is the policy of the State of Illinois that an  
4 Agrichemical Facility Response Action Program be implemented  
5 to reduce potential agrichemical pollution and minimize  
6 environmental degradation risk potential at these sites. In  
7 this Section, "agrichemical facility" means a site where  
8 agrichemicals are stored or handled, or both, in preparation  
9 for end use. "Agrichemical facility" does not include basic  
10 manufacturing or central distribution sites utilized only for  
11 wholesale purposes. As used in this Section, "agrichemical"  
12 means pesticides or commercial fertilizers at an agrichemical  
13 facility.

14 The program shall provide guidance for assessing the threat  
15 of soil agrichemical contaminants to groundwater and  
16 recommending which sites need to establish a voluntary  
17 corrective action program.

18 The program shall establish appropriate site-specific soil  
19 cleanup objectives, which shall be based on the potential for  
20 the agrichemical contaminants to move from the soil to  
21 groundwater and the potential of the specific soil agrichemical  
22 contaminants to cause an exceedence of a Class I or Class III  
23 groundwater quality standard or a health advisory level. The  
24 Department shall use the information found and procedures  
25 developed in the Agrichemical Facility Site Contamination

1 Study or other appropriate physical evidence to establish the  
2 soil agrichemical contaminant levels of concern to groundwater  
3 in the various hydrological settings to establish  
4 site-specific cleanup objectives.

5 No remediation of a site may be recommended unless (i) the  
6 agrichemical contamination level in the soil exceeds the  
7 site-specific cleanup objectives or (ii) the agrichemical  
8 contaminant level in the soil exceeds levels where physical  
9 evidence and risk evaluation indicates probability of the site  
10 causing an exceedence of a groundwater quality standard.

11 When a remediation plan must be carried out over a number  
12 of years due to limited financial resources of the owner or  
13 operator of the agrichemical facility, those soil agrichemical  
14 contaminated areas that have the greatest potential to  
15 adversely impact vulnerable Class I groundwater aquifers and  
16 adjacent potable water wells shall receive the highest priority  
17 rating and be remediated first.

18 (b) (Blank). ~~The Agrichemical Facility Response Action~~  
19 ~~Program Board ("the Board") is created. The Board members shall~~  
20 ~~consist of the following:~~

21 ~~(1) The Director or the Director's designee.~~

22 ~~(2) One member who represents pesticide manufacturers.~~

23 ~~(3) Two members who represent retail agrichemical~~  
24 ~~dealers.~~

25 ~~(4) One member who represents agrichemical~~  
26 ~~distributors.~~

1           ~~(5) One member who represents active farmers.~~

2           ~~(6) One member at large.~~

3           ~~The public members of the Board shall be appointed by the~~  
4 ~~Governor for terms of 2 years. Those persons on the Board who~~  
5 ~~represent pesticide manufacturers, agrichemical dealers,~~  
6 ~~agrichemical distributors, and farmers shall be selected from~~  
7 ~~recommendations made by the associations whose membership~~  
8 ~~reflects those specific areas of interest. The members of the~~  
9 ~~Board shall be appointed within 90 days after the effective~~  
10 ~~date of this amendatory Act of 1995. Vacancies on the Board~~  
11 ~~shall be filled within 30 days. The Board may fill any~~  
12 ~~membership position vacant for a period exceeding 30 days.~~

13           ~~The members of the Board shall be paid no compensation, but~~  
14 ~~shall be reimbursed for their expenses incurred in performing~~  
15 ~~their duties. If a civil proceeding is commenced against a~~  
16 ~~Board member arising out of an act or omission occurring within~~  
17 ~~the scope of the Board member's performance of his or her~~  
18 ~~duties under this Section, the State, as provided by rule,~~  
19 ~~shall indemnify the Board member for any damages awarded and~~  
20 ~~court costs and attorney's fees assessed as part of a final and~~  
21 ~~unreversed judgement, or shall pay the judgment, unless the~~  
22 ~~court or jury finds that the conduct or inaction that gave rise~~  
23 ~~to the claim or cause of action was intentional, wilful or~~  
24 ~~wanton misconduct and was not intended to serve or benefit~~  
25 ~~interests of the State.~~

26           ~~The chairperson of the Board shall be selected by the Board~~

1 ~~from among the public members.~~

2 (c) (Blank). ~~The Board has the authority to do the~~  
3 ~~following:~~

4 ~~(1) Cooperate with the Department and review and~~  
5 ~~approve an agrichemical facility remediation program as~~  
6 ~~outlined in the handbook or manual as set forth in~~  
7 ~~subdivision (d) (8) of this Section.~~

8 ~~(2) Review and give final approval to each agrichemical~~  
9 ~~facility corrective action plan.~~

10 ~~(3) Approve any changes to an agrichemical facility's~~  
11 ~~corrective action plan that may be necessary.~~

12 ~~(4) Upon completion of the corrective action plan,~~  
13 ~~recommend to the Department that the site specific cleanup~~  
14 ~~objectives have been met and that a notice of closure be~~  
15 ~~issued by the Department stating that no further remedial~~  
16 ~~action is required to remedy the past agrichemical~~  
17 ~~contamination.~~

18 ~~(5) When a soil agrichemical contaminant assessment~~  
19 ~~confirms that remedial action is not required in accordance~~  
20 ~~with the Agrichemical Facility Response Action Program,~~  
21 ~~recommend that a notice of closure be issued by the~~  
22 ~~Department stating that no further remedial action is~~  
23 ~~required to remedy the past agrichemical contamination.~~

24 ~~(6) Periodically review the Department's~~  
25 ~~administration of the Agrichemical Incident Response Trust~~  
26 ~~Fund and actions taken with respect to the Fund. The Board~~

1 ~~shall also provide advice to the Interagency Committee on~~  
2 ~~Pesticides regarding the proper handling of agrichemical~~  
3 ~~incidents at agrichemical facilities in Illinois.~~

4 (d) The Director has the authority to do the following:

5 (1) When requested by the owner or operator of an  
6 agrichemical facility, may investigate the agrichemical  
7 facility site contamination.

8 (2) After completion of the investigation under item  
9 ~~subdivision (d)~~ (1) of this subsection ~~Section~~, recommend  
10 to the owner or operator of an agrichemical facility that a  
11 voluntary assessment be made of the soil agrichemical  
12 contaminant when there is evidence that the evaluation of  
13 risk indicates that groundwater could be adversely  
14 impacted.

15 (3) Review and make recommendations on any corrective  
16 action plan submitted by the owner or operator of an  
17 agrichemical facility ~~to the Board for final approval.~~

18 (4) On approval by the Director ~~Board~~, issue an order  
19 to the owner or operator of an agrichemical facility that  
20 has filed a voluntary corrective action plan that the owner  
21 or operator may proceed with that plan.

22 (5) Provide remedial project oversight and ~~7~~ monitor  
23 remedial work progress, ~~and report to the Board on the~~  
24 ~~status of remediation projects.~~

25 (6) Provide staff to support program ~~the~~ activities ~~of~~  
26 ~~the Board.~~

1           (7) (Blank). ~~Take appropriate action on the Board's~~  
2 ~~recommendations regarding policy needed to carry out the~~  
3 ~~Board's responsibilities under this Section.~~

4           (8) Incorporate ~~In cooperation with the Board,~~  
5 ~~incorporate~~ the following into a handbook or manual: the  
6 procedures for site assessment; pesticide constituents of  
7 concern and associated parameters; guidance on remediation  
8 techniques, land application, and corrective action plans;  
9 and other information or instructions that the Department  
10 may find necessary.

11           (9) Coordinate preventive response actions at  
12 agrichemical facilities pursuant to the Groundwater  
13 Quality Standards adopted pursuant to Section 8 of the  
14 Illinois Groundwater Protection Act to mitigate resource  
15 groundwater impairment.

16           Upon completion of the corrective action plan ~~and upon~~  
17 ~~recommendation of the Board,~~ the Department shall issue a  
18 notice of closure stating that site-specific cleanup  
19 objectives have been met and no further remedial action is  
20 required to remedy the past agrichemical contamination.

21           When a soil agrichemical contaminant assessment confirms  
22 that remedial action is not required in accordance with the  
23 Agrichemical Facility Response Action Program ~~and upon the~~  
24 ~~recommendation of the Board,~~ a notice of closure shall be  
25 issued by the Department stating that no further remedial  
26 action is required to remedy the past agrichemical

1 contamination.

2 (e) Upon receipt of notification of an agrichemical  
3 contaminant in groundwater pursuant to the Groundwater Quality  
4 Standards, the Department shall evaluate the severity of the  
5 agrichemical contamination and shall submit to the  
6 Environmental Protection Agency an informational notice  
7 characterizing it as follows:

8 (1) An agrichemical contaminant in Class I or Class III  
9 groundwater has exceeded the levels of a standard adopted  
10 pursuant to the Illinois Groundwater Protection Act or a  
11 health advisory established by the Illinois Environmental  
12 Protection Agency or the United States Environmental  
13 Protection Agency; or

14 (2) An agrichemical has been detected at a level that  
15 requires preventive notification pursuant to a standard  
16 adopted pursuant to the Illinois Groundwater Protection  
17 Act.

18 (f) When agrichemical contamination is characterized as in  
19 subsection ~~subdivision~~ (e)(1) of this Section, a facility may  
20 elect to participate in the Agrichemical Facility Response  
21 Action Program. In these instances, the scope of the corrective  
22 action plans developed, approved, and completed under this  
23 program shall be limited to the soil agrichemical contamination  
24 present at the site unless implementation of the plan is  
25 coordinated with the Illinois Environmental Protection Agency  
26 as follows:

1           (1) Upon receipt of notice of intent to include  
2 groundwater in an action by a facility, the Department  
3 shall also notify the Illinois Environmental Protection  
4 Agency.

5           (2) Upon receipt of the corrective action plan, the  
6 Department shall coordinate a joint review of the plan with  
7 the Illinois Environmental Protection Agency.

8           (3) The Illinois Environmental Protection Agency may  
9 provide a written endorsement of the corrective action  
10 plan.

11           (4) The Illinois Environmental Protection Agency may  
12 approve a groundwater management zone for a period of 5  
13 years after the implementation of the corrective action  
14 plan to allow for groundwater impairment mitigation  
15 results.

16           (5) (Blank). ~~The Department, in cooperation with the~~  
17 ~~Illinois Environmental Protection Agency, shall recommend~~  
18 ~~a proposed corrective action plan to the Board for final~~  
19 ~~approval to proceed with remediation. The recommendation~~  
20 ~~shall be based on the joint review conducted under~~  
21 ~~subdivision (f)(2) of this Section and the status of any~~  
22 ~~endorsement issued under subdivision (f)(3) of this~~  
23 ~~Section.~~

24           (6) The Department, in cooperation with the Illinois  
25 Environmental Protection Agency, shall provide remedial  
26 project oversight, monitor remedial work progress, ~~and~~

1 ~~report to the Board on the status of the remediation~~  
2 ~~project.~~

3 (7) The Department shall, upon completion of the  
4 corrective action plan ~~and recommendation of the Board,~~  
5 issue a notice of closure stating that no further remedial  
6 action is required to remedy the past agrichemical  
7 contamination.

8 (g) When an owner or operator of an agrichemical facility  
9 initiates a soil contamination assessment on the owner's or  
10 operator's own volition and independent of any requirement  
11 under this Section 19.3, information contained in that  
12 assessment may be held as confidential information by the owner  
13 or operator of the facility.

14 (h) Except as otherwise provided by Department rule, on and  
15 after the effective date of this amendatory Act of the 98th  
16 General Assembly, any Agrichemical Facility Response Action  
17 Program requirement that may be satisfied by an industrial  
18 hygienist licensed pursuant to the Industrial Hygienists  
19 Licensure Act repealed in this amendatory Act may be satisfied  
20 by a Certified Industrial Hygienist certified by the American  
21 Board of Industrial Hygiene.

22 (Source: P.A. 98-78, eff. 7-15-13.)

23 (415 ILCS 60/22.2) (from Ch. 5, par. 822.2)

24 Sec. 22.2. (a) There is hereby created a trust fund in the  
25 State Treasury to be known as the Agrichemical Incident

1 Response Trust Fund. Any funds received by the Director of  
2 Agriculture from the mandates of Section 13.1 shall be  
3 deposited with the Treasurer as ex-officio custodian and held  
4 separate and apart from any public money of this State, with  
5 accruing interest on the trust funds deposited into the trust  
6 fund. Disbursement from the fund for purposes as set forth in  
7 this Section shall be by voucher ordered by the Director and  
8 paid by a warrant drawn by the State Comptroller and  
9 countersigned by the State Treasurer. The Director shall order  
10 disbursements from the Agrichemical Incident Response Trust  
11 Fund only for payment of the expenses authorized by this Act.  
12 Monies in this trust fund shall not be subject to appropriation  
13 by the General Assembly but shall be subject to audit by the  
14 Auditor General. Should the program be terminated, all  
15 unobligated funds in the trust fund shall be transferred to a  
16 trust fund to be used for purposes as originally intended or be  
17 transferred to the Pesticide Control Fund. Interest earned on  
18 the Fund shall be deposited in the Fund. Monies in the Fund may  
19 be used by the Department of Agriculture for the following  
20 purposes:

21 (1) for payment of costs of response action incurred by  
22 owners or operators of agrichemical facilities as provided  
23 in Section 22.3 of this Act;

24 (2) for the Department to take emergency action in  
25 response to a release of agricultural pesticides from an  
26 agrichemical facility that has created an imminent threat

1 to public health or the environment;

2 (3) for the costs of administering its activities  
3 relative to the Fund as delineated in subsections (b) and  
4 (c) of this Section; and

5 (4) for the Department to:

6 (A) (blank); and ~~reimburse members of the~~  
7 ~~Agrichemical Facility Response Action Program Board~~  
8 ~~for their expenses incurred in performing their duties~~  
9 ~~as defined under Section 19.3 of this Act; and~~

10 (B) administer ~~provide staff to support the~~  
11 ~~activities of~~ the Agrichemical Facility Response  
12 Action Program ~~Board~~.

13 The total annual expenditures from the Fund for these  
14 purposes under this paragraph (4) shall not be more than  
15 \$120,000, and no expenditure from the Fund for these  
16 purposes shall be made when the Fund balance becomes less  
17 than \$750,000.

18 (b) The action undertaken shall be such as may be necessary  
19 or appropriate to protect human health or the environment.

20 (c) The Director of Agriculture is authorized to enter into  
21 contracts and agreements as may be necessary to carry out the  
22 Department's duties under this Section.

23 (d) Neither the State, the Director, nor any State employee  
24 shall be liable for any damages or injury arising out of or  
25 resulting from any action taken under this Section.

26 (e) (Blank). ~~On a quarterly basis, the Department shall~~

1 ~~advise and consult with the Agrichemical Facility Response~~  
2 ~~Action Program Board as to the Department's administration of~~  
3 ~~the Fund.~~

4 (Source: P.A. 89-94, eff. 7-6-95.)

5 Section 140. The Hazardous Material Emergency Response  
6 Reimbursement Act is amended by changing Sections 3, 4, and 5  
7 as follows:

8 (430 ILCS 55/3) (from Ch. 127 1/2, par. 1003)

9 Sec. 3. Definitions. As used in this Act:

10 (a) "Emergency action" means any action taken at or near  
11 the scene of a hazardous materials emergency incident to  
12 prevent or minimize harm to human health, to property, or to  
13 the environments from the unintentional release of a hazardous  
14 material.

15 (b) "Emergency response agency" means a unit of local  
16 government, volunteer fire protection organization, or the  
17 American Red Cross that provides:

- 18 (1) firefighting services;
- 19 (2) emergency rescue services;
- 20 (3) emergency medical services;
- 21 (4) hazardous materials response teams;
- 22 (5) civil defense;
- 23 (6) technical rescue teams; or
- 24 (7) mass care or assistance to displaced persons.

1 (c) "Responsible party" means a person who:

2 (1) owns or has custody of hazardous material that is  
3 involved in an incident requiring emergency action by an  
4 emergency response agency; or

5 (2) owns or has custody of bulk or non-bulk packaging  
6 or a transport vehicle that contains hazardous material  
7 that is involved in an incident requiring emergency action  
8 by an emergency response agency; and

9 (3) who causes or substantially contributed to the  
10 cause of the incident.

11 (d) "Person" means an individual, a corporation, a  
12 partnership, an unincorporated association, or any unit of  
13 federal, State or local government.

14 (e) "Annual budget" means the cost to operate an emergency  
15 response agency excluding personnel costs, which include  
16 salary, benefits and training expenses; and costs to acquire  
17 capital equipment including buildings, vehicles and other such  
18 major capital cost items.

19 (f) "Hazardous material" means a substance or material in a  
20 quantity and form determined by the United States Department of  
21 Transportation to be capable of posing an unreasonable risk to  
22 health and safety or property when transported in commerce.

23 (g) "Fund" means the Fire Prevention Fund ~~"Panel" means~~  
24 ~~administrative panel.~~

25 (Source: P.A. 93-159, eff. 1-1-04; 94-96, eff. 1-1-06.)

1 (430 ILCS 55/4) (from Ch. 127 1/2, par. 1004)

2 Sec. 4. Establishment. The Emergency Response  
3 Reimbursement Fund in the State Treasury, hereinafter called  
4 the Fund, is hereby created. Appropriations shall be made from  
5 the general revenue fund to the Fund. Monies in the Fund shall  
6 be used as provided in this Act.

7 The Emergency Response Reimbursement Fund is dissolved as  
8 of the effective date of this amendatory Act of the 98th  
9 General Assembly. Any moneys remaining in the fund shall be  
10 transferred to the Fire Prevention Fund.

11 (Source: P.A. 86-972.)

12 (430 ILCS 55/5) (from Ch. 127 1/2, par. 1005)

13 Sec. 5. Reimbursement to agencies.

14 (a) It shall be the duty of the responsible party to  
15 reimburse, within 60 days after the receipt of a bill for the  
16 hazardous material emergency incident, the emergency response  
17 agencies responding to a hazardous material emergency  
18 incident, and any private contractor responding to the incident  
19 at the request of an emergency response agency, for the costs  
20 incurred in the course of providing emergency action.

21 (b) In the event that the emergency response agencies are  
22 not reimbursed by a responsible party as required under  
23 subsection (a), monies in the Fund, subject to appropriation,  
24 shall be used to reimburse the emergency response agencies  
25 providing emergency action at or near the scene of a hazardous

1 materials emergency incident subject to the following  
2 limitations:

3 (1) Cost recovery from the Fund is limited to  
4 replacement of expended materials including, but not  
5 limited to, specialized firefighting foam, damaged hose or  
6 other reasonable and necessary supplies.

7 (2) The applicable cost of supplies must exceed 2% of  
8 the emergency response agency's annual budget.

9 (3) A minimum of \$500 must have been expended.

10 (4) A maximum of \$10,000 may be requested per incident.

11 (5) The response was made to an incident involving  
12 hazardous materials facilities such as rolling stock which  
13 are not in a terminal and which are not included on the  
14 property tax roles for the jurisdiction where the incident  
15 occurred.

16 (c) Application for reimbursement from the Fund shall be  
17 made to the State Fire Marshal or his designee. The State Fire  
18 Marshal shall, through rulemaking, promulgate a standard form  
19 for such application. The State Fire Marshal shall adopt rules  
20 for the administration of this Act.

21 (d) Claims against the Fund shall be reviewed by the  
22 Illinois Fire Advisory Commission at its normally scheduled  
23 meetings, as the claims are received. The Commission shall be  
24 responsible for:

25 (1) reviewing claims made against the Fund and  
26 determining reasonable and necessary expenses to be

1       reimbursed for an emergency response agency:

2           (2) affirming that the emergency response agency has  
3       made a reasonable effort to recover expended costs from  
4       involved parties; and

5           (3) advising the State Fire Marshal as to those claims  
6       against the Fund which merit reimbursement.

7           (e) The State Fire Marshal shall either accept or reject  
8       the Commission's recommendations as to a claim's eligibility.  
9       The eligibility decision of the State Fire Marshal shall be a  
10      final administrative decision, and may be reviewed as provided  
11      under the Administrative Review Law.

12      (Source: P.A. 93-989, eff. 1-1-05.)

13           (430 ILCS 55/7 rep.)

14           Section 145. The Hazardous Material Emergency Response  
15      Reimbursement Act is amended by repealing Section 7.

16           (510 ILCS 15/1 rep.)

17           Section 150. The Animal Gastroenteritis Act is amended by  
18      repealing Section 1.

19           Section 155. The Illinois Pseudorabies Control Act is  
20      amended by changing Section 5.1 as follows:

21           (510 ILCS 90/5.1) (from Ch. 8, par. 805.1)

22           Sec. 5.1. Pseudorabies Advisory Committee. Upon the

1 detection of pseudorabies within the State, the ~~The~~ Director of  
2 Agriculture is authorized to establish within the Department an  
3 advisory committee to be known as the Pseudorabies Advisory  
4 Committee. The Committee ~~Such committee~~ shall consist of, but  
5 not be limited to, representatives of swine producers, general  
6 swine organizations within the State, licensed veterinarians,  
7 general farm organizations, auction markets, the packing  
8 industry and the University of Illinois. Members of the  
9 Committee shall only be appointed and meet during the timeframe  
10 of the detection. ~~The Director shall, from time to time,~~  
11 ~~consult with the Pseudorabies Advisory Committee on changes in~~  
12 ~~the pseudorabies control program.~~

13 The Director shall appoint a Technical Committee from the  
14 membership of the Pseudorabies Advisory Committee, which shall  
15 be comprised of a veterinarian, a swine extension specialist,  
16 and a pork producer. This committee shall serve as resource  
17 persons for the technical aspects of the herd plans and may  
18 advise the Department on procedures to be followed, timetables  
19 for accomplishing the elimination of infection, assist in  
20 obtaining cooperation from swine herd owners, and recommend  
21 adjustments in the approved herd plan as necessary.

22 These Committee members shall be entitled to reimbursement  
23 of all necessary and actual expenses incurred in the  
24 performance of their duties.

25 (Source: P.A. 89-154, eff. 7-19-95.)

1 (525 ILCS 25/10 rep.)

2 Section 160. The Illinois Lake Management Program Act is  
3 amended by repealing Section 10.

4 (815 ILCS 325/6 rep.)

5 Section 165. The Recyclable Metal Purchase Registration  
6 Law is amended by repealing Section 6.

7 Section 995. Illinois Compiled Statutes reassignment.

8 The Legislative Reference Bureau shall reassign the  
9 following Act to the specified location in the Illinois  
10 Compiled Statutes and file appropriate documents with the Index  
11 Division of the Office of the Secretary of State in accordance  
12 with subsection (c) of Section 5.04 of the Legislative  
13 Reference Bureau Act:

14 Illinois Commission on Volunteerism and Community  
15 Service Act, reassigned from 20 ILCS 710/ to 20 ILCS 2330/.

16 Section 999. Effective date. This Act takes effect upon  
17 becoming law."